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THE

PRESENT STATE

OF THE

Church of IRELAND:

CONTAINING

A Deſcription of it's PRECARIOUS SITUATION; and the conſequent DANGER to the PUBLIC.

Recommended to the ſerious Conſideration of the Friends of

The Proteſtant Intereſt.

TO WHICH ARE SUBJOINED,

Some Reflections on the Impracticability of a proper Commutation for TITHES;

AND

A General Account of the Origin and Progreſs of the INSURRECTIONS in MUNSTER.

THE SIXTH EDITION.

With an Extract from the Preface to the London Edition, and many very material Additions interſperſed, and Tranſlations of the Latin Appendixes.

Woodward -

By *RICHARD* Lord Biſhop of *CLOYNE.*

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MVSEVM
BRITAN
NICVM

ADVERTISEMENT

TO THE

READER.

THE Importance of the Subject of theſe ſheets, which involves the Exiſtence of the Eſtabliſhed Church, muſt apologize for the unreſerved manner, in which the Author has delivered his ſentiments; particularly with regard to the two reſpectable bodies of his fellow-citizens, who diſſent from it. In every part of his reaſoning, his object has been, to combat opinions, and not to attack men. If in any inſtance, individuals have diſtinguiſhed themſelves by publick Declarations, in ſuch a manner, as to induce a ſuſpicion, that an alluſion to thoſe declarations is intended; he diſclaims any deſign of giving perſonal offence. He regrets, on many accounts, that he could not do juſtice to his cauſe, without raiſing ſuch an aſſociation in the mind of the reader; who will recollect the Aſperity, with which

the Clergy have been calumniated, and the abſolute neceſſity of vindicating their Character, ſo eſſential to the ſucceſs of their miniſtry, before he cenſures the plain truths urged in defence of them, and in ſupport of the Eſtabliſhed Church. Having ſaid ſo much with regard to the Matter, the only plea he has for deficiency or inaccuracy in the Manner of treating it, is the Haſte, with which this pamphlet was drawn up, in the diſtraction of buſineſs occaſioned by the ſituation of his perſecuted Clergy; and the neceſſity of ſo immediate a publication, as would not allow a ſufficient reviſal. Since it was finiſhed, he has ſeen an Addreſs to the Nobility and Gentry of Ireland, by a Layman; in which many of the Obſervations in this tract are anticipated, with ſo much ability, that the Author would have ſtruck them out, if they had not been neceſſary to the chain of his argument.

INTRO-

EXTRACT

From the PREFACE *to the* LONDON EDITION.

IN addition to my primary motive for printing this Pamphlet in London, which is, a conviction of the expediency of making known throughout Britain (if the circulation of it ſhall extend ſo far) the real danger of the Eſtabliſhed Church in Ireland; I am further induced by ſome late Publications in England, favourable to * Innovation, to ſubmit to the Publick *there* my ideas of the general danger of unſettling the Eccleſiaſtical part of the Conſtitution.

We are told by Mr. Rayner in his *Caſes on Tithes*, that a noble Lord, who has filled the higheſt ſtation in the Law, and in his Majeſty's Councils, moved certain Regulations in the Houſe of Lords in the year 1781, as the ground-work of a plan for a general Exchange of Tithes for *Land*; and that his Lordſhip perſeveres in the purſuit of that object. It would ill become *me*, to offer an opinion as to the conſiſtency of any *compulſory* meaſure for that

* See page 70.

that purpoſe, with the principles of the Engliſh Laws and Conſtitution; but ſuppoſing the Exchange *voluntary*, and that ſuch Exchange were liable to no Legal or Political objection, I cannot but entertain doubts of the expediency of it, in reſpect to *Religion*. It appears to me calculated to render Non-reſidence eaſier to the Incumbent of a large Benefice; to tempt the Incumbents of thoſe ſmall Pariſhes, with which England abounds, to become *Farmers*; and on the whole, to diminiſh the Uſefulneſs and Reſpectability of the National Clergy.

A learned Prelate has likewiſe given his ſanction to extenſive Innovations in the Church, which it is foreign from my preſent Plan to examine; but were they as beneficial, and as eaſily reducible to Practice, as they appear to the Propoſer of them, (each of which points is very doubtful) I think the Reader will find ſufficient proofs in the 1ſt Section of the following Tract, that they are *unconſtitutional*.

A third *(anonymous)* propoſer of Innovation in the Conſtitution of the Engliſh Church connects in the ſame pamphlet this ſpecies of Reformation, with *the payment of the National Debt*. When I firſt read the Title, it reminded me of the repreſentations of *St. Ambroſe* in his carriage drawn by a horſe and *a Bear*, whom the Saint had miraculouſly preſſed into his Service. The ſcheme of this Author for a

new

new Church is too ſuperficial, to be worth any further notice. The fate of his Project in the County where it was ſtarted, was ſuch, as muſt have been expected by any reaſonable man; though I own it was extraordinary, that in the *County of Northumberland* "two dozen" Gentlemen could be brought together, to deliberate on a meaſure, which might tend to diſſolve the * Union, and bring back into their eſtates the miſerable Syſtem deſcribed in *Nicholſon's Border Laws*.

But a much greater and more juſt alarm is excited by ſome of the principles contained in the tenth Chapter of the Sixth Book of *Paley's Moral and Political Philoſophy*; which treats of Religious Eſtabliſhments. As the known Abilities of the Author, his Situation in the Church, and the Merit of ſome parts of that work, are likely to give currency to ſentiments immediately ſubverſive of the Proteſtant Government of Ireland; I hope he will not think it inconſiſtent with the Reſpect I bear to him from perſonal acquaintance, that (my Station in that Kingdom conſidered) I ſhould point out to the Publick in Great Britain, the dangerous tendency, as well as error of ſome of his opinions.——The learned Writer aſſumes as a fundamental Maxim, That "it is an *equal* "*chance*, which of two Religions is the more "*true*, that of the Magiſtrate, or that of the "People;" he then proceeds to deliver it as his

* See page 11.

his opinion, that "*more efficacy* may be ex-"pected from an Order of men appointed to "teach the People their own Religion," than "to convert them to another." From whence he infers, that "it is the *duty* of the *Magiſ-*"*trate*, in the choice of the Religion which "he *eſtabliſhes*, to conſult the Faith of the "Nation, rather than his own."—Now to paſs by the *ſtrangeneſs* of the ſuppoſed Axiom, that it is an *equal chance*, whether the *Legiſlators*, or the *Populace* of a Country, are beſt qualified to form a ſound judgment, which of two Religions is *true*—to paſs by the impoſſibility that the Magiſtrate (the perſon, whoſe conduct is to be determined) can think it an *equal chance*, whether the Religion which he believes, or the Religion which he diſbelieves, is true;—and of courſe the *ſtrangeneſs* of the Caſuiſtry, that it can be *his duty* to endow a Claſs of Men, for the purpoſe of teaching what in his conſcience he thinks dangerous Error, and of countenancing *Idolatry*, or other practices, which (he is convinced) are forbidden by the Supreme Being;——the fair and immediate *Inferences* from this Doctrine are a ſufficient Confutation of it.—Were it to be admitted; Conſtantine and all other Chriſtian Princes, muſt have infringed *their Duty*, in eſtabliſhing Chriſtianity; all Proteſtant States, in eſtabliſhing the Reformation; and the Legiſlature of Ireland will infringe *their Duty*, if they do not eſtabliſh Popery, the *moment* that it's Aſſociation with

with Jacobitiſm, which the Author allows to be a *temporary* objection, is at an end. Were this Doctrine true, Paganiſm, with all it's *Impurities* and *Horrors*, would be the eſtabliſhed Religion of every Government in the world; for the Author proves very ably the neceſſity of an eſtabliſhed Clergy, and if, as he ſays, "more *efficacy* is to be expected from "an Order of men appointed to teach the "people their own Religion, than to convert "them to another," What chance would there have been of the Converſion of a Pagan (except, in a few inſtances, amongſt Philoſophers) from any Errors however groſs, which the Magiſtrate had ſanctioned, and retained a number of Learned men to ſupport; when there were no perſons authorized to detect them, and teach the Truth.—Others of the Author's Poſitions are deciſive againſt the Proteſtant Church in Ireland; for he ſays, "If "the Diſſenters from the Eſtabliſhment *become* "a majority of the people, the Eſtabliſhment "itſelf ought to be *altered* or *qualified*." And in another place, "If there exiſt amongſt "the different Sects of the Country ſuch a "parity of Numbers, Intereſt, or Power, "as to render the preference of one Sect to "the reſt, and the Choice of that Sect, a "matter of hazardous ſucceſs, and of doubtful election; ſome plan ſimilar to that "which is meditated in North-America may "perhaps ſuit better with this divided ſtate "of publick Opinions, than any Conſtitution

"of

" of a National Church whatſoever." Now this very North-American plan, of permitting every Subject to appropriate his legal quota of the Sum levied for paying the Clergy, to the Miniſter of *his own Sect*, the Author allows, in another place, " to be ſcarcely com-
" patible with that, which is the firſt requiſite
" in an Eccleſiaſtical Eſtabliſhment, the divi-
" ſion of the Country into Pariſhes of a com-
" modious extent;" and I am certain, it muſt inſtantly extinguiſh the Proteſtant Religion in Connaught; and in all parts of Munſter, and even Leinſter, a very few great Towns excepted.

The learned Archdeacon's Idea of *complete* Toleration, which includes " the admiſſion of
" Diſſenters from the eſtabliſhed Religion to
" offices, and employments in the publick
" Service," is likewiſe liable to great exception. If indeed his aſſertion were well founded, that " When we view the Sects of Chriſtianity
" which prevail in the world, we muſt con-
" feſs, that with the ſingle exception of re-
" fuſing to bear Arms, we find *no tenet* in any of them, which incapacitates them for the " ſervice of the State," there would be a plauſible ground for his Opinion. But has not the Papal See always held, that *Faith is not to be kept with Hereticks?* * *And that Princes excommunicated*

* I would not be underſtood to mean, that the Church of Rome holds that *Faith is not to be kept* with any man who is a Heretick in ordinary tranſaction of buſineſs, but *with Hereticks as ſuch*; that is, where the intereſt of the Church or the Holy See is concerned.

excommunicated by the Pope may be depoſed and murdered by their Subjects? The Author is pleaſed to ſay, that " it is not to Popery, that " the Laws object, but to Popery, as the mark " of Jacobitiſm;" but how does that appear? Are there no evidences, that our Law objects to Popery (in a Civil view) before the Revolution? Was the aſſociation of Jacobitiſm with Popery the cauſe of the oppoſition to the admiſſion of Papiſts into Office in the time of James II? And was not that illegal intruſion of them one main cauſe of his Expulſion, which is the ſource of Jacobitiſm? *Does not our Government think it neceſſary to require a Declaration of Abhorrence of the principles above ſtated, as known Popiſh Doctrines? Has the Church of Rome ever diſavowed them? Does not the contrary appear, on the lateſt occaſions for calling it to decide on theſe Tenets?* Let the Reader judge, after he has peruſed the Appendixes II and III. whether there are not ſtill " tenets" in the Romiſh Church, which incapacitate men for the ſervice of a Proteſtant State: And whether Jacobitiſm is the *ſole* cauſe of ſuſpicion, and the *ſole* cauſe of thoſe ſevere and jealous Laws, which have been enacted againſt the Profeſſors of that Religion.—After peruſing thoſe Authentick Documents, I am perſuaded he will adopt the Arch-Deacon's own deciſion in another part of that very Chapter, " If the " *generality* of any religious Sect entertain " diſpoſitions *hoſtile* to the Conſtitution, and

" if

" if Government have no other way of know-
" ing its Enemies, than by the *Religion* they
" profeſs, the Profeſſors of that Religion may
" juſtly be excluded from Offices of Truſt and
" Authority."

INTRODUCTION.

LEST any Readers ſhould be diſappointed, by looking for the diſcuſſion of matters, foreign from the purpoſe of the Author; it may be proper to apprize them, what they are not, as well as what they are, to expect.

It is by no means his object, to enter into a defence of Eccleſiaſtical Eſtabliſhments in general. To evince the propriety of them, he relies on the manifeſt neceſſity of inſtructing the people in their duty, as Men, and Citizens; the impoſſibility of fixing Morality on a broad, or indeed any ſure, baſis, but that of Religion; the neceſſity of eſtabliſhing in the Mind of the Subject, an Internal principle, as a collateral aid to the check of Law; and the authority of all Chriſtendom, ſince the days of Conſtantine*.——Some of the new American States ſeem indeed inclined to hazard an experiment, (the firſt perhaps on record) of ſeparating Civil policy from Religion. But what ſober man would think of balancing the novel haſty ſpeculations, of a People little trained in Learning, totally unpractiſed in the arts of Government, under the dominion of that ſpirit of Enterprize and Innovation, which raiſed them to the rank of Legiſlators, and in an agitation of mind, ſufficient to diſtract

* A. D. 324.

diſtract the wiſeſt heads; againſt the cool concurrent deciſion of the moſt Improved States in the world, confirmed by the experience of ages?

Further; it is not the object of the Author, to vindicate the Reformation, or the eſtabliſhment of Epiſcopacy. Theſe points of Religious Controverſy with the Churches of Rome and Geneva, have been frequently diſcuſſed by men of far greater ability, and in a manner much more diffuſe, than would be proper for his preſent plan.

The buſineſs of this little Tract is, to place the Church in a point of view merely *Political*; to prove to the Gentleman of Landed property in this Kingdom, that it is ſo eſſentially incorporated with the State, that the Subverſion of one muſt neceſſarily overthrow the other; and that the *Church of Ireland is, at the preſent moment, in imminent danger of Subverſion.* In the courſe of illuſtrating theſe grand points, ſuch Evidences will appear, not only of the unprovoked Injuries, which the Clergy have lately ſuſtained, and are ſtill daily ſuffering, in their Perſons and Property; but likewiſe of the Difficulties, under which they at all times laboured in the diſcharge of their Duty; as may, if they do not incline the Publick to their Relief, at leaſt protect them from illiberal and unmerited Abuſe.

On the whole, the peruſal of theſe few pages may poſſibly place in a light, new to many, matters of very high import; may induce ſome, whoſe thoughts have been hitherto intent only on preſent and partial inconveniencies, to conſider all the conſequences maturely, before they riſk an Alteration;—may caution the friends of the Conſtitution againſt State-Empiricks;—may lead them to weigh,

in

in a fair balance, the wiſdom and experience of the few patrons of any ſudden project for a Change in the mode of ſupporting the National Clergy, againſt the joint opinion of the multitude of Sage Legiſlators, (names which adorn the hiſtory of the moſt enlightened nations upon earth!) who have for ſo many ages given their deliberate ſanction to the antient ſyſtem of *Tithes*;—may tempt them to ſuſpect the Prudence of men, who pay no deference to ſuch Authority; and to impute their boldneſs in enterprize, not to a more enlarged view of the Subject; but to a want of that degree of Knowledge in Eccleſiaſtical affairs, and their Civil conſequences, poſſeſſed by thoſe other Stateſmen; which *muſt* have diſcovered the difficulties and bad effects of Innovation.

THE

THE PRESENT STATE OF THE Church of *IRELAND*, &c.

SECTION I.

Of the importance of the Eccleſiaſtical to the Civil Conſtitution of this Kingdom.

ON a general review of the ſeveral Countries in Europe, one cannot fail to obſerve, that almoſt every legiſlature has adopted an Eccleſiaſtical polity, conformable to the genius of the Civil conſtitution. It was naturally to be expected, that the general principles of Government, adopted, as the beſt, by the ruling powers, ſhould pervade (as far as they could be applied to) all departments; and this expectation is anſwered by the facts. Deſpotick States, whether the Supreme power were lodged in One or a Few, have found in the Papal authority, a congenial ſyſtem of arbitrary dominion; and of courſe have regarded Popery as a powerful ally, or at leaſt an uſeful engine

engine of State.* Republicks, proceeding with a like conſiſtency, have adopted the levelling principle of the Preſbyterian Church; while the ſeveral Monarchies of the North, and all the Principalities of Germany, which embraced the reformation of Luther†, ſtill retained Epiſcopacy, as congruous to their form of Civil government. It may be obſerved too, that all theſe Sovereigns, at the time that they emancipated themſelves from Papal oppreſſion, were limited in the exerciſe of their own power, by Privileges of the States, or different Orders of their Subjects; and thus Religious and Civil Liberty, ſeldom to be found apart, went hand in hand. In the viciſſitudes of human affairs, as it is natural to expect, extraneous circumſtances have occaſionally interrupted the operation of theſe General principles. Feuds between the ſtates in Denmark, and foreign intrigues in Sweden, have cauſed changes in the conſtitution of thoſe countries; but it is worth remarking, that in the year 1660, when the Danes made a voluntary ſurrender of their liberties, and declared the Crown of Denmark (and that of Norway of courſe) abſolute in all civil matters, they ſecured the Lutheran religion, by a ſpecial reſerve. § Deſpotiſm was controlled in that

* The Author is ſo far from juſtifying this alliance, that he thinks it a Combination againſt the Natural rights of mankind. He is merely ſtating, that ſuch a combination has taken place.

† The Northern Monarchs, who had left Revenues, adequate to the ſupport of that rank, retained the old title of Biſhop; the German Princes, whoſe rapaciouſneſs had embezzled the Clerical eſtates, invented the new name of Superintendant, a word of preciſely the ſame import. There are Superintendants in all the Lutheran States, where there are no Biſhops: and even in the Biſhopricks of Lubeck and Oſnabrugh; though there are ſtill Lay-Biſhops, who have ſeats in the Diet of the Empire, yet there are likewiſe Superintendants for the purpoſe of Eccleſiaſtical Government.

§ The King bound himſelf to obſerve the Word of GOD and the Confeſſion of Augſburg. Daniſh Code B. I. Ch. 1. A. 1.

that ſole inſtance, leſt it's bias ſhould bring back Papal tyranny.

In England, from whence our eſtabliſhments were copied, the ſyſtem of conformity between the Eccleſiaſtical and Civil conſtitution, ſeems to have been ſtudied with a peculiar degree of exactneſs: They were formed ſo preciſely on the ſame model, that the whole was likened to a Double Cone, united by the authority of the Crown. And ſo eſſential was the preſervation of the Church eſteemed to the welfare of the State, that the Barons, when they were laying the foundation of Engliſh liberty, made it the firſt Article in Magna Charta, that "the Church of England ſhall be "free, and enjoy her whole rights and liberties, "inviolable." On the ſame principle, at the Revolution, when the boundaries of thoſe liberties were fixed with greater preciſion, and our preſent unrivalled conſtitution finally ſettled, it was made part of the Coronation Oath, That "the King "ſhould, to the utmoſt of his power, maintain the "Proteſtant Religion, as by law eſtabliſhed; and "preſerve to the Biſhops and Clergy, and to the "churches committed to their care, all ſuch rights "and privileges, as by law do, or ſhall, appertain "to them, or any of them."—In the Act of Union between England and Scotland, it is enacted, that "all the Acts then in force for the *eſtabliſhment* and *preſervation* of the Church of England, and the Doctrine, Worſhip, Diſcipline and Government thereof ſhall be in force for *ever*. That every King or Queen, at his or her Coronation, ſhall take and ſubſcribe an Oath to maintain and preſerve inviolably the ſaid *ſettlement* of the Church of England, and the Doctrine, Diſcipline and Government thereof, as by Law eſtabliſhed, within the kingdoms

kingdoms of England and *Ireland*, the dominion of Wales, and the town of Berwick, and the territories thereunto belonging. That this Act ſhall *for ever be a fundamental and eſſential part of the treaty of Union between England and Scotland.*"--Need I produce any further evidence, that the Eccleſiaſtical conſtitution is interwoven with the Civil? I ſhall not inſult the underſtanding of my reader, by entering into a formal Defence of a conſtitution, confeſſedly the beſt that ever exiſted: My buſineſs is only to ſtate *a fact*; that the Eccleſiaſtical eſtabliſhment is an eſſential part of it.—The Revolutions of the laſt century evinced the natural union of the Civil with the Eccleſiaſtical branch of the conſtitution; They fell, and roſe again, together. It is much to be feared, that the Republican ſyſtem in America will ſubvert the Epiſcopal church there; notwithſtanding a faint effort in ſome of the States to preſerve it.

The Kingdom of Scotland may perhaps be held forward, in oppoſition to theſe principles: but beſides that a ſingle exception is never a fair objection to a general rule, as probably owing to ſome particular collateral circumſtance; in this caſe, that circumſtance is apparent. When the ſuppreſſion of Epiſcopacy took place in Scotland at the Revolution, it could not be ſuppoſed, that the aſcendency of the Preſbyterian Church in the ſmaller country, could affect Monarchy in the two Kingdoms, whoſe Crowns were united. But William, biaſſed, as he muſt naturally have been, in favour of the Preſbyterian Church, did not wiſh the eſtabliſhment of it, even in Scotland. He was induced to yield to the ſuppreſſion of Prelacy there, only by the Oppoſition, which the Biſhops, attached to the Houſe of Stuart, unanimouſly gave

to

to the proceedings in his favour. He publickly declared his wiſhes to preſerve them, notwithſtanding the Article againſt Prelacy in the Claim of Rights: but added,* that "if they continued to "oppoſe the new ſettlement of the kingdom, and "by a great majority in Parliament, reſolutions "ſhould be made in their diſfavour, the King "could not make a War for them.†"—In an earlier period, the apprehenſions of James the Firſt were much alive, on that head. They are manifeſted by his averſion to the Puritans in England, and his favourite maxim; *No Biſhop, no King.* It ſhould ſeem, that he had a foreboding of the events, which happened in the Reign of his Succeſſor.

This ſketch will ſuffice to ſhew the cloſe connexion between the Civil and Eccleſiaſtical conſtitution, in every country; but in this kingdom, many peculiar circumſtances render the ſupport of the Eſtabliſhed Church more eſſentially intereſting to the Landed Gentleman, the Proteſtant Government, and the Britiſh Empire. The Subject is extremely delicate; but the Moment is critical; *it is deciſive of the Proteſtant intereſt*—— Truths, which in happier ſeaſons ſhould reſt in oblivion for the preſervation of general harmony, muſt

* See Burnet's Hiſtory of his own Times.

† That this great Prince was ſenſible of the congruity of the Eccleſiaſtical to the Civil conſtitution of England, is evident from the beginning of his meſſage to the Convocation aſſembled in 1689.

"His Majeſty has ſummoned this Convocation, not only becauſe it "is uſual upon holding a Parliament, but out of a pious zeal to do "every thing that may tend to the beſt eſtabliſhment of the Church "of England, which is ſo eminent a part of the Reformation and "*is certainly beſt ſuited to the conſtitution of this Government.*"

Tindal's Continuation of Rapin.

muſt now be brought forward to publick notice, and impreſſed, as forcibly as poſſible, on the minds of Iriſh and Britiſh Proteſtants of every denomination. The delicacy which ſtifles them muſt be falſe; becauſe it would be fatal.

The outrages of the Whiteboys in the South, ſuppoſed to be confined to Tithes, (which alone would be a matter of no little moment to the Proteſtant Religion, as ſhall hereafter be proved) do by no means ſtop there. They extend to the Perſons of the eſtabliſhed Clergy; who are hunted from their Pariſhes*. They controul the proceedings of Veſtries, in granting money for the repair of Churches, and other things eſſential to the decency of Divine Worſhip, though the Roman Catholicks are very reaſonably precluded by law from voting on ſuch occaſions: In one inſtance, they have proceeded to ſuch extravagance, as to nail up a † Church, to forbid the Curate at his peril to officiate, though the Rector was diſabled by age and infirmities; and to force the Clerk to ſwear not to attend him: In another, to threaten publickly, and to bind themſelves by Oath (in preſence of one of the Church-Wardens) to burn a § new Church, unleſs the old one were reſerved for a Maſs-

* In the Dioceſs of Cloyne, ſeven Rectors of pariſhes, hitherto conſtantly reſident, have applied to the Ordinary, for leave to abſent themſelves, from well-grounded apprehenſions of perſonal danger; three of whom are ſo reduced in their incomes, from a competency of two or three hundred pounds a year, that they do not receive a Curate's ſalary; and of courſe Divine ſervice is diſcontinued. It is obvious, that by a ſimilar proceeding, the Whiteboys have it in their power to ſuppreſs entirely the Proteſtant Religion in Munſter, Connaught, and even Leinſter, Dublin excepted.

† The Church of Donoghmore, in the Dioceſs of Cloyne.

§ In the pariſh of Glanmire, in the Dioceſs of Cork.

a Maſs-houſe.—Now if to ſuch violence of a Popiſh mob, aſſembled in various and numerous bodies, through the entire Province of Munſter, and part of Leinſter and Connaught, provided with arms forced out of the hands of Proteſtants, and extorting money to purchaſe ammunition, and defray the expence of their nightly excurſions, as well as the ſupport of their Confederates under confinement, be added, The connivance of ſome members of the Eſtabliſhed Church, the ſupineneſs of more, the timidity of the generality of Magiſtrates, a corrupt Encouragement of theſe lawleſs acts in not a few, the difficulty of prevailing on Witneſſes to appear (not only from the danger of appearing, but from the Oaths extorted from them, not to appear) againſt criminals the moſt notorious*, the natural effect of the impunity of ſuch criminals, the conſequent temporary ſubverſion of the Proviſion for the eſtabliſhed Clergy, which, if continued, muſt terminate

* The effect of this is proved by the proceedings at the laſt Aſſizes in Munſter; where after the multitudes of inſtances, of breaking-open houſes, robbing the inhabitants of fire-arms, ammunition, and money; of incendiary letters; of maiming inoffenſive and helpleſs perſons; and other capital crimes, notoriouſly committed, in every quarter of the Province, by many different parties of men, each amounting to ſeveral hundreds; ſo that the number of perſons guilty of capital felonies muſt have amounted to thouſands; only *two* perſons were Capitally convicted; and *not one*, in the extenſive County of Cork, where the outrages were at leaſt as flagrant and general, as in any other. The cauſe is obvious; Witneſſes did not dare to appear. And the repetition of like offences, ſince the Aſſizes, when all diſputes about Tithes were at an end for the current year; the continuance of aſſembling in numerous well-armed bodies, and paſſing *winter-nights* in levying money, and taking fire-arms forcibly and feloniouſly from the Proteſtants, (a proceeding which now extends to the province of Leinſter, within leſs than 50 miles of the capital;) are proofs too pregnant, of the effect of the impunity of their aſſociates, and of their future intentions.

minate in the extinction of the Order*; and what is ſtill more to be feared, becauſe it creates leſs publick alarm, a raſh ſpirit of innovation in eccleſiaſtical matters, too general an indifference to all religion, and the influence of the two great bodies of Diſſenters on future arrangements; No man of reflection can doubt, but that the ſituation of the eſtabliſhed church is *dangerous in the extreme*. But as the danger, though by no means remote, may be too diſtant for the ſhort ſight of the bulk of the people, and much induſtry is employed to blind them, by treating this Inſurrection as a matter of little moment; it becomes the indiſpenſable duty of ſuch, as by ſituation were enabled, and by duty are called on to watch it's progreſs, to *ſpeak out*; not fearing, though not wiſhing, to give

* The ſentiments of Lord Coke on the expediency of Eccleſiaſtical Courts for the purpoſe of preſerving the Revenues of the Clergy, are worth attending to. "For this reaſon, in favour of Holy "Church, although it might have a lawful beginning, the Law will "not ſuffer ſuch Preſcription in this caſe to put it to the trial of "Laymen, who will rather ſtrain their conſciences for their private "Benefit, than yield to the Church the Duties which belong to it. "And the Law hath great *Policy* therein; for the decay of Revenues of men of Holy Church, in the end, will be the overthrow of "the Service of GOD and his Religion. And therefore it is recorded in Hiſtory, that there were, among others, two grievous "Perſecutions, one under Diocleſian, the other under Julian, "ſirnamed Apoſtata; for it is recorded, that one of them, intending to have rooted out all the Profeſſors and Preachers of the "werd of GOD, *occidit omnes Preſbyteros*; but notwithſtanding "that, Religion flouriſhed, for *Sanguis Martyrum eſt Semen Eccleſiæ*; and yet the ſame was a fearful and grievous Perſecution. "But the perſecution under the other was more grievous and dangerous, becauſe (as the Hiſtory ſaith) *ipſe occidit Preſbyterium*, "for he robbed the Church, and ſpoiled ſpiritual Perſons of their "Revenues, and took all from them, whereon they might live; "and thereupon in ſhort time did follow great Ignorance of the "true Religion, and Service of GOD, and thereby great decay of "the Chriſtian Profeſſion; for none will apply themſelves, or their "ſons, or any other whom they have in charge, to the ſtudy of "Divinity, when they ſhall have, after long and painful ſtudy, "nothing to live upon."

Coke's Reports part 2. Biſhop of Wincheſter's Caſe p. 45. a.

give offence; and to ſound the alarm, whilſt it is *yet time*. For though a perfect reliance may be had on the good intentions of Government; yet in a conſtitution like ours, and in a caſe which comes home to the breaſt of every Proteſtant, it is expedient, in order to facilitate the execution of thoſe good intentions, that the people at large ſhould be informed of their true intereſt, and their real ſituation: Nay, it is abſolutely neceſſary; as it is ſcarce poſſible for a Chief Governor to ſtem the violence of the populace, when it is abetted by ſuch, as ought to be better informed.

I need not tell the Proteſtant proprietor of land, that the ſecurity of his title depends very much (if not entirely) on the Proteſtant aſcendency; or that the preſervation of that aſcendency depends entirely on an indiſſoluble connexion between the Siſter-Kingdoms. But let him conſult his own reaſon, (and the times render it neceſſary, that he ſhould conſider *without delay*) how theſe great points are to be ſecured.—Is it by increaſing the influence of Popery? The idea is revolting to common ſenſe. For, not to take into conſideration the ſingular ſyſtem of education of the Roman Catholicks of this country, (which calls aloud for ſome prudent regulation!) as well as other *peculiar* circumſtances in their ſituation; every ſincere member of their Church cannot but wiſh the Eſtabliſhment of it. He cannot but think it his Duty, not only to GOD, but his Neighbour, to bring him within (what he conceives to be) the pale of Salvation. It is a well-known fact, that they are all zealous in making Proſelytes. The inference is obvious: It is the buſineſs of the Proteſtant Government, while it allows (for it's own credit, as well as from motives of humanity)

to the Roman Catholick, freedom of Religion, which is his Natural indefeiſible right, and every comfort as a Citizen, which is an equitable Political right, [and this is the utmoſt extent of rational Toleration, the very term implying ſuperiority and a *right* of control] to preclude him as much as poſſible from influence, for fear of loſing the *power* of control.—Is it by further ſtrengthening the hands of the Proteſtant Diſſenters, that the conſtitution is to be preſerved? This is a favourite doctrine with ſome: becauſe the levelling principle of Preſbyterians renders them tenacious of the privileges of the ſubject; and their apprehenſion for the freedom of their own conſciences has made them, (as I truſt, it will always make them) zealous oppoſers of the eſtabliſhment of Popery. But important as their ſupport is to a general ſyſtem of Liberty, and the Proteſtant religion; the notion, that the whole of our conſtitution ſhould be truſted to them, will not bear examination. Before however my readers decide upon that queſtion, it may be neceſſary to inform ſome of them, that moſt of the leading Preſbyterians in this Kingdom (indeed all, whoſe Opinions the Author has been able to collect) differ eſſentially from their brethren of Geneva, Switzerland, Holland, Germany, and Scotland, as they reject the idea of any National Church. If the church of Scotland, to which they have an hereditary attachment, and to the forms of which they adhere, were eſtabliſhed in this kingdom, they would *ſtill* diſſent. They are Independents, in a Civil view; though they are Preſbyterians, as to Eccleſiaſtical diſcipline. Their principles do not, like thoſe of the Roman Catholicks, tend to ſet up, but merely to pull down, an Eccleſiaſtical eſtabliſhment. From theſe Premiſes the Concluſion is manifeſt; and

and in ſuch times, the plain truth muſt be ſpoken, *and it is for the eſſential intereſt of the Proteſtant Diſſenter, that the truth ſhould be proclaimed*,* That of the three perſuaſions, the members of the *eſtabliſhed* church alone can be cordial friends to the *entire* conſtitution of this realm, *with perfect conſiſtency of principle*. And without ſuch conſiſtency, no Body of men (for we ſpeak not of the particular characters of Individuals) can be entitled to national confidence.

The Members of the two Diſſenting Communions will in candour impute ſuch of the Author's reflections, as ſeem to bear hard on the Political operation of their reſpective tenets, to the unhappy circumſtances of the times, and the duty of his ſtation; and not to a want of that liberal and Chriſtian ſpirit of Toleration, which he feels in his own breaſt, and has uniformly endeavoured to exhibit in his private and publick conduct. They will likewiſe obſerve, that the preſent argument does not apply to the Abſtract Truth of their principles, much leſs to an impeachment of their conduct; but merely to the effects which thoſe principles, whether true or falſe, muſt naturally produce on their reſpective diſpoſitions, (and moſt ſtrongly, in minds of the greateſt integrity) towards the preſent Conſtitution of this kingdom. A juſt care of that conſtitution requires the Author to point out the danger to the publick from the tenets of the Sect, for a virtuous adherence to which, he ſhould eſteem the Individual.—The principles contained in a Letter to a Noble Lord in this kingdom, from a Right Honourable Commoner in England, circulated at firſt in Manuſcript, (at a very critical period, when a Bill in favour of

* See Section 6.

the Roman Catholicks was depending) and afterwards printed, which expreſs the wiſhes of ſome of the friends of the Roman Catholick intereſt, and are evidently ſubverſive of the Proteſtant Aſcendency, will juſtify what has been ſaid, with reſpect to the neceſſity of excluding Papiſts, as much as poſſible, from Political influence. The ſecurity which an Oath of Allegiance could give, does not apply to the danger of *undermining* the Eccleſiaſtical Eſtabliſhment in a *peaceable* manner, within the forms of the conſtitution.—Were the Roman Catholick Freeholder allowed to vote for a Member of Parliament, (for inſtance) would he not have Influence over his Repreſentative, even if he did not claim *a right to inſtruct him?* Muſt he not, as a conſcientious Chriſtian, wiſh the (quiet) eſtabliſhment of what he thinks the true Church; and contribute every thing, conſiſtent with the Laws of his country, to ſuppreſs Hereſy? How would ſuch a proceeding claſh with his Oath of Allegiance to the King, or his diſavowal of the Pope's Authority in the temporal affairs of the Kingdom?

But it may be ſuggeſted, that the terms of the Oath might in future be extended to comprehend the entire conſtitution; and then the Proteſtant Aſcendency would be ſecure. I am ready to believe, that many individual Roman Catholicks are men of ſuch integrity, that they would adhere ot ſuch an Oath, if they thought proper to take it; for Men are often better than their Tenets. But what would their church ſay? I need not conjecture. The reader will ſee a direct deciſion of this point by the Legate at Bruſſels, who had the ſuperintendence of the Romiſh church in Ireland, in his letter to the (titular) Arch-Biſhop of Dublin,

in

in the year 1768; when an Oath of Allegiance for the Roman Catholicks of this country was in contemplation. This letter was publiſhed by Thomas de Burgo, (Burke) titular Biſhop of Oſſory, and † publick Hiſtoriographer to the Dominican Order in Ireland, in his appendix to his *Hibernia Dominicana*, printed in 1772; and together with three ſimilar ones to the other three [titular] Metropolitans, ſtiled by the Biſhop *Literæ verè aureæ, cedroque dignæ.*—* The Legate treats the clauſes in the propoſed Oath, containing a declaration of abhorrence and deteſtation of the doctrines, "that faith is not to be kept with Hereticks; and "that Princes deprived by the Pope may be de-"poſed or murdered by their Subjects" as abſolutely *intolerable*; becauſe, ſays he, thoſe doctrines are defended, and contended for, by moſt Catholick nations, and the Holy See has frequently followed them in practice. On the whole he decides, that "as the Oath is in it's whole extent unlawful; ſo "in it's nature it is invalid, null, and of no effect, "inſomuch that it can by no means bind, or oblige "conſciences." That ſimilar deciſions on the validity of Oaths, detrimental to the intereſts of the Holy See, were uniformly made, whenever ſuch occaſions offered, by ſucceſſive Popes, is well known. The prudent Proteſtant will therefore judge, what effect ſuch a deciſion on any future Oath might have with the Roman Catholick *populace* of Ireland, from the little degree of Reſpect paid by them to Oaths in general (which is not increaſed by the late proceedings in Munſter!) and the degree of their Bigotry; *even if they had*

no

† The Reader will therefore conſider this writer, nor as a mere unauthorized individual, but as a perſon in a publick character.

* It is inſerted at length in the end of this pamphlet. Appendix II.

no other motives to infringe ſuch Oaths, from diſlike to the Proteſtant Government. I am aware, that a diſtinction is held forward between Papiſts and Roman Catholicks of the Gallican Church, and that the latter are leſs ſubmiſſive to the dictates of a Pope. I allow too, that the diſtinction is real in ſome points, though the liberties of the latter did not gain ground by the proceedings in 1765, on the Bull *Unigenitus*.—But what proportion of the Popiſh inhabitants of this kingdom would know, what is meant by the *Gallican Church?* Who is the *authorized voucher* of it's doctrines, to be ſet in oppoſition to the *Legate* of the *Pope?* We may judge, what will be the doctrines of the (titular) *Biſhops*, by the clauſes in their Oath at Conſecration, which follow: *

" The Roman Papacy, and the royalties of St. " Peter, I will, ſaving my own Order, aſſiſt them " [*the Pope and his ſucceſſors*] to retain, and " defend againſt every man.—The rights, honours, " privileges, and authority of the holy Roman " church, and of our Lord the Pope, and his " Succeſſors aforeſaid, I will be careful to preſerve, " defend, *enlarge* and promote.—All Hereticks, " Schiſmaticks, and Rebels againſt our ſaid Lord " and his Succeſſors aforeſaid, I will, to the utmoſt " of my power, proſecute [the term *perſequar* is " ambiguous] and oppoſe." Will he then be likely to uſe his influence over his flock, to *enforce* the obligation of an Oath, derogatory from the *Royalties* of St. Peter, and the authority of the Holy Roman church, and of his Lord the Pope; and calculated to give ſtability to Hereſy? Will he not think that Oath, *malum in ſe*; and rather to

* See the whole Oath in Appendix IV.

to be repented of, than kept? He would not (I allow) abſolve the man of the Guilt of having taken it, without his repentance; but he would probably ſay (as the Roman Catholick Prelates of Munſter very properly declared, with regard to the Oaths extorted by the Whiteboys) that the Obſervation of it would aggravate the guilt. What were the ſentiments of the Author of the Hibernia Dominicana on a propoſed Oath of Allegiance to *his* late *Majeſty*, will appear from an Extract from that work, p. 721, contained in Appendix No. III.

From this view of the general principles of the two great bodies of Diſſenters, it is evident, that tho' they may acquieſce for a time, in eſtabliſhments which they diſlike, from love of quiet; yet whenever a ſafe opportunity ſhall offer, to give free ſcope, thoſe principles will operate. The weight of the National Church ought therefore to be preſerved, in the balance of the State; which balance muſt be as effectually deſtroyed, by whatever weakens the Eccleſiaſtical Eſtabliſhment, as by a poſitive addition of ſtrength to either of the Diſſenting Communions. That this is the immediate tendency, if not the premeditated deſign, not only of the riotous proceedings in Munſter, but of the principles diſſeminated by ſome of the publick prints, ſhall be clearly proved in the following pages.

The friends to Innovation may be divided into two claſſes: Thoſe who complain of the Extortion of the Clergy, and aim at a reduction of their incomes by a lower compoſition for Tithes; and Thoſe who profeſs a Regard and Eſteem for them, but propoſe a Commutation of their preſent proviſion, for ſome other, at once more convenient

to them and the Laity. Each of theſe Innovations ſhall be conſidered in it's order.

SECTION II.

On the Charge of Extortion in the Compoſition for Tithes.

IF this Charge be examined by principles of Law, (and in what other manner, can a queſtion of Property be determined?) the ſuppoſition is, on the face of it, abſurd.—The matter lies within a very narrow compaſs. The State has allotted Tithes for the maintenance of the Clergy. It is the moſt ancient eſtabliſhment in the realm,* prior to the date of the titles of almoſt every eſtate, ſupported by Common, and ſanctioned by Statute Law. No man can plead a ſtronger title to any ſpecies of property, than the incumbent of a pariſh to his Tithe: No private man, ſo ſtrong a one; for it requires no proof; it is due of common right, and not liable to be injured by Preſcription; except

* How early Tithes were eſtabliſhed in Ireland, even the diligence of Selden could not aſcertain; but he quotes "an ancient "Law ordained by Henry III. within the Arch-Biſhoprick of Dublin, "whereby it was commanded, that every Man, non expectato "mandato Regis vel aſſenſu de gurgitibus & piſcariis, Eccleſiis in "quarum parochiis ſunt prædicti gurgites vel piſcariæ, Decimas "ſolvant, quia Rex non vult, in periculum animæ ſuæ, *hujuſmodi* "Decimas detineant." Selden on Tithes, Chap. 7.

except where a *modus decimandi** (which ſuppoſes an Equivalent) can be eſtabliſhed. No other perſon has the ſhadow of a claim to it; nor has either Landlord or Tenant the ſhadow of a right to complain, that his land is ſubject to that burden: for on that account, the former purchaſed the fee the cheaper; and the latter pays leſs rent; each has received a valuable conſideration for ſubmitting to it. Neither of them has, in law or juſtice, a better right to the Tithe of his land, than he has to any other property of any other man†. If then the Farmer deſire to purchaſe it, he (like other purchaſers) muſt offer what the ſeller thinks the value; but as he is under no Obligation to purchaſe,

* The *modus de non decimando* is merely perſonal to the King or Clergy, and does not extend even to their tenants. The proprietors of Abbey-Lands repreſent the Clergy, in virtue of the Statute of *Hen.* 8.

† It has been occaſionally ſuggeſted in converſation, and even in print, that Tithes were merely *wages* paid by the State, and not, properly ſpeaking, *a property*. I agree in the firſt idea; but do not diſcern, why the two ideas are incompatible. Many ancient offices, as that of Conſtable of the Tower, &c. have Freeholds annexed to them. Such are the poſſeſſions of the Clergy; and in one reſpect, the Official tenure of Clerical property is more ſecure, than that of Lay property. Land may be forfeited for crimes, and on that forfeiture reverts to the Crown: whereas even treaſon in a Clergyman can only deprive the Individual Traitor of his Glebe or Tithe; which deſcends to his Succeſſor unimpaired.—If it be ſaid, that the property of the Clergy has been reſumed by the State, for publick convenience, in the ſuppreſſion of religious houſes; I anſwer, ſo are ſmall portions of land likewiſe, for the publick ſervice, in making roads, canals, &c. In all theſe caſes, the rule is, *Salus populi ſuprema lex.*—Perhaps Lawyers may doubt, how far the Legiſlature can take away a man's property without his conſent; and contend, that the religious Orders made an apparently voluntary ſurrender of their rights, but I am not competent to give an opinion on that queſtion; neither do I queſtion the right of the whole legiſlature to make alteration; but contend, that till an alteration ſhall have been made by *that ſupreme* authority, neither the Crown, nor one Houſe of Parliament, much leſs any fellow-ſubject, can deprive the Clergyman of his right, which is a Freehold; and at the ſame time ſubmit to the members of the Legiſlature the impolicy of changing the ancient ſyſtem.

chaſe, it is abſolutely impoſſible for the Clergyman, the Impropriator, or any perſon deriving under either of them, to *extort*. He is entitled by law to take his own tenth, after it is ſeparated from the other nine parts, and ſet out by the owner; and no more. And in ſo doing, he proceeds no otherwiſe than the Proprietor of an eſtate, who not approving the rent propoſed by a tenant, takes the land into his own hand. So ſtands this matter, as a queſtion of Property.§ The terms therefore of *extortion*, *exaction*, *oppreſſion*, and the like, laviſhed with ſuch profuſion on the Clergy, are clearly as inapplicable in Law, as they are undeſerved in Fact. They come naturally enough indeed, from the mouth of a Peaſant, vexed at his diſappointment of a good bargain; but they fall with an ill grace, from men of a Liberal, and with great inaccuracy, from men of Legal education. The bad effects of ſuch unguarded expreſſions, though doubtleſs not foreſeen, have been ſeverely felt by individuals, and the publick.

It

§ From this ſtate of the caſe it is evident, that the National Clergy are not paid by their Pariſhioners, but by the Publick; and conſequently that the complaint made by ſome of the Diſſenters of the two Communions, or rather by others for them, That they pay two clergymen, is ill-founded. The Tithe of the land is not in any ſort their Property; nor are they either neceſſitated, or entitled, to conſider it as ſuch. It is merely a Burden, to which their property is liable, like the Crown, or Quit-rent, or Hearth-money. The ſtipend or fee to his own Clergyman is the whole, which the Proteſtant Diſſenter, or Roman Catholick, pays out of his own pocket. And that He ſhould bear that expenſe, is highly reaſonable: nay, it is unavoidable, from the nature of Toleration: If the State were to pay it, the ſect would be Eſtabliſhed. The preſent Emperor (held forth with great juſtice, as an illuſtrious example of Toleration) qualifies his indulgences to his Proteſtant Subjects with this neceſſary condition, "pourvû qu'ils en fourniſſent "les Frais neceſſaires." Such and no other is the hardſhip, ſo much dwelt upon by the ignorant, in the news-papers, as well as in common converſation.

It is repreſented with a great parade of Charity, that the Clergyman's Tithe bears hard upon the Poor. This can never be true; though repeated with ſuch confidence, that without a knowledge of the ſubject, one ſhould be tempted to think, that it admitted no doubt. But let us fairly ſtate the caſe. The Cottager, when he took the land at a certain rent, was perfectly aware, that the tenth part of the produce, though raiſed by his labour, was not to be his, but was to be the undiſputed property of his Pariſh-miniſter. If therefore the burden of both Rent and Tithe be too heavy, it cannot with any ſhew of reaſon be ſet down to the account of Tithe, which is an original definite charge on the land, of which all parties were fully apprized: but muſt be imputed to the tenant's having afterwards engaged inconſiderately (or more often, from dread of being outbid) for more rent than the nine parts could bear. If there be any extortion, the Landlord, not the Clergyman, muſt be the extortioner.

The idea, that a covenant between landlord and tenant ſhould deprive a third perſon of his prior claim on the land, is too ridiculous to deſerve a ſerious diſcuſſion. A ſimilar plea in bar to the demand of the Crown, or Quit-rent, or Hearth-money, would, I believe, not be treated with much reſpect by the Commiſſioners of the Revenue. Does the Head-landlord (as he is called in this Kingdom) admit it as a reaſon, for not diſtraining the goods of the Occupier of the ground, that the occupier had already paid a ſevere rent to the Leſſee, from whom he holds? However, where the joint burden of Tithe and Rent is too heavy for the poorer tenantry, I dare engage, that the Clergyman will always be content to wave his priority of claim,

claim, and chearfully meet the benevolence of the Landlord for their relief, in a full proportion to his comparative demand. Let the experience of every pariſh decide this matter. If a fair inquiry were made, who of the two remits the greater proportion of the ſums, which the Cottager has engaged to pay, it will then appear, to whoſe ſeverity his diſtreſs is to be attributed; and that the Clergy are as much ſuperior in the tenderneſs of demanding, as in the moderation of their demand.

But is there not a kind of equity, in favour of the Tiller of the ground, whoſe induſtry produced the Tithes? Here the inquiry begins to wear the aſpect of common ſenſe. The Clergy will readily join iſſue on this footing; and I venture to anſwer in their name, *Undoubtedly*. I am *forward* to declare, that a Clergyman would do little credit to his profeſſion, who is not ſtrongly impreſſed with this liberal ſentiment; and, further, that I am confident very few, if any, can be found, of our Order, who do not give up, knowingly and willingly, a conſiderable proportion of their legal right.— But in addition to that Good-will, the nature of the tranſaction renders it of neceſſity advantageous to the *Farmer*. The Clergyman, a man of ſcholaſtick education, untrained in country buſineſs, often unprovided with land, or the means of carrying away his portion even from a ſingle farm, is obliged to treat at the ſame time with perhaps ſeveral hundreds of pariſhioners, for the price of his ſcattered property; conſiſting of the tenth part of the various produce of their reſpective lands. Can it be ſuppoſed, that in ſuch a ſituation, he can expect the value? He muſt, and it is well known, does conſtantly allow a very conſiderable profit; frequently,

quently, I might ſay, generally, exceeding his own income. The violent outcry againſt Tithe-farmers is concluſive, that a *great* profit is expected from the *Clergyman*; as it is manifeſtly impoſſible for even the keeneſt Tithe-farmer to get the full value. Nay, the very burden complained of by the Cottager, too often not without reaſon, is a ſtrong preſumption, that when he propoſed for his holding, he had reckoned too much on his future bargain with the Clergyman, for a reſource to pay his Landlord's rent. That the Clergy do not think of getting their full tenth, is a point, which will not be conteſted by any man, who has made inquiries on the ſubject. The Author is happy to have it in his power to declare, from the higheſt authority, that the report of a Noble Lord (lately ſent into Munſter, with the Civil and Military powers united, in order to ſuppreſs the Inſurrections in that Province) to Government, bore a juſt teſtimony to the Moderation of the Clergy.

But it is frequently alledged, by ſuch as give credit to the Clergyman himſelf for a liberal intention, that this intention is defeated by Proctors, or Tithe-farmers, employed under him; and likewiſe by a ſet of perſons called *Canters*, who bid for tithes, and of courſe raiſe their price. As I have already proved, that from the nature of the tranſaction, injuſtice and extortion are impracticable; the ſole complaint againſt thoſe different perſons muſt be, that they prevent a proper Liberality on the part of the clergyman, and curtail the farmer's Profit too much. Let us therefore fairly inquire, how far a clergyman is to blame, for employing or dealing with them; which will appear by a plain account of their reſpective relations to him.

The

The *proctor* is a Servant employed to do that kind of buſineſs, which the clergyman could not undertake in his own perſon, either with advantage, or with credit to himſelf; namely, to view and value the crop of the pariſhioner, and afterwards to chaffer with him about the price of the tithe. The office of Proctor anſwers to that of Steward or Agent to the landed Gentleman: and if either be corrupt in the diſcharge of his truſt, by exacting any thing beyond his acknowledged fees, it muſt be by colluſion with the Farmer; and ſuch colluſion muſt conſtantly operate in diſfavour of the Employer. But that ſuch Servant ſhould be retained, is clearly as much a matter of neceſſity in one caſe, as the other, or rather more; for ſurely if the Clergyman were to conſume his time in ſuch a low invidious employment, as prying into every field of his ſeveral pariſhioners, and afterwards wrangling about the value of his tenth, ſuch an intercourſe would little tend to diminiſh the Ill-will alledged to be created by tithes, to conciliate the Love of the people to the perſon of their paſtor, or to raiſe their Reſpect for the clerical character. But there is a further *indiſpenſable* reaſon for employing Proctors to view; as the Oaths of two perſons are required in the eccleſiaſtical Courts, to prove the value of tithe ſubſtracted, and the Oath of the Clergyman himſelf is inadmiſſible.

The *Tithe-farmer's* office is deſcribed by his name. He rents of the incumbent his tithes for a certain ſum, and ſets them probably at a higher rate, than the occupier of the land would otherwiſe pay. In any caſe therefore, where the pariſhioners are diſpoſed to treat reaſonably for their tithes, the clergyman would act unkindly, and improperly, though not unjuſtly, by letting them to

to farm. But this can ſeldom, if ever, be ſuppoſed to happen; becauſe excluſive of the natural wiſh in the breaſt of every man, to conciliate the love of his neighbours, the Miniſter is a certain loſer of at leaſt 15 ℔ *cent.* by this mode of managing his buſineſs; that being the difference between the wages of a Proctor, and the *avowed* profit of a Tithe-farmer. The unreaſonableneſs of the country people is the ſole cauſe of ſuch Agents being employed; and in this, as in moſt other caſes, unfair dealing deſervedly recoils on thoſe, who are guilty of it.

The third claſs of perſons complained of are *Canters*, or men who bid for the tithes of their neighbour's land. This complaint is an additional proof of the high profit expected by the Farmer; but the abſurdity of it is too glaring. It amounts to this; a man wants to buy the property of another, and repreſents it to the publick, as an oppreſſion not to be borne, that any one ſhould offer for it but himſelf. Can ſuch Nonſenſe be anſwered? The prejudices of the people, and the popular cry echoed, tho' not believed, by the enemies of the National Church, muſt apologize to the reader for the bare mention of it. For (ſtrange to think!) even this nonſenſe, groſs as it is, has it's advocates. It is however obvious, without the fear of ſuch Bidders for tithes, they muſt always be ſold to the Farmer at his own price; from the impoſſibility of drawing the tenth part of the crops of a whole pariſh. It ought likewiſe to be remarked, that theſe Canters are ſeldom reſorted to; and never, except in caſes, where the Farmer's offer is more than commonly unreaſonable. *His Tithes are never advertized, to invite the higheſt bidder without any preference; as his*

Farm

Farm will probably be, at the expiration of his leaſe. Nor would any man think of propoſing for the tithes of another, as ſuch proceeding incurs univerſal Odium, without an expectation of immoderate Profit; which is a *ſure* check on the abuſe of the practice.—This practice of buying tithes is advantageous to the *Poor*; it is a reſource for the Labouring claſs of people in ſmall towns, and for Cottagers, who have not tillage of their own, or whoſe little crop has failed; as they procure neceſſary food for themſelves, and fodder for their cattle, at a rate far below the common price even for ready money, with the advantage of long credit without intereſt, in place of the oppreſſive Uſury exacted by the Farmer. The ſuppreſſion of this practice by the Whiteboys has reduced numbers of poor families in Munſter to the utmoſt miſery.

Now when theſe different perſons, held forward to the publick as engines of Oppreſſion, are thus fairly deſcribed, and the relations they bear to the Clergy explained, they will be found perfectly inoffenſive; and preciſely the ſame characters (under other names) as the Steward of the landed gentleman; the Farmer, who rents his land; and the Propoſer for it, when untenanted. To preclude the clergy of *this Kingdom* from reſorting to ſuch aid, would be to give them a nominal property; and at the ſame time to render it impoſſible for them to avail themſelves of it.

But ſtill it may be ſuggeſted, that the uſual compoſition, tho' favourable to the Farmer, is yet higher than what is competent for the ſupport of a Pariſh-miniſter; and that Miſchief may ariſe from enriching the Clergy. This is an ordinary

Cant

Cant of men, who uſe words without diſcriminating ideas; who apply general Maxims at random, without adverting to circumſtances and manners; and at the ſame time is uſeful to cover, what is really working at the heart, a ſcheme of increaſing Rents, at *leaſt* in the *ſame* proportion, that Tithes ſhould be diminiſhed. I ſhall therefore enter into an inveſtigation of the Fact; as well as a diſcuſſion of the Principle, which is of greater extent, and involves more publick danger, than ſome country Gentlemen may be fully aware of.

SECTION III.

Of the Revenues of the parochial Clergy.

THE competency of a Salary muſt be meaſured by the proportion, which it bears to the Importance of the ſervice, together with the Rank and neceſſary qualifications of the perſon employed. Now the eſtabliſhment of a Parochial Clergy, to inſtruct the people in the principles of religion and virtue (an inſtitution unknown to Paganiſm, even in the moſt poliſhed countries, and one of the numberleſs bleſſings to the world, introduced by Chriſtianity) tends more than any other, to civilize mankind; and is a principal cauſe of that ſuperiority of Morals, which diſtinguiſhes Chriſtian countries. In this point of view, it becomes an object to a wiſe Stateſman, even though he were ſo blinded, as to diſbelieve the Speculative Doctrines of the Chriſtian Religion,

to ſupport an Order, inſtituted for the purpoſe of inſtilling into the minds of the people *it's moral rules*; of inculcating by example, as well as precept, ſobriety, juſtice, humanity, induſtry, and ſubmiſſion to Government, which are the baſis of order and publick proſperity. But their duties are more or leſs extenſive, according to the circumſtances of the people, whom they are appointed to inſtruct. They are more arduous, in proportion to the oppoſition of Diſſenting ſects; they are more laborious, in proportion to the want of Civilization; they are more complicated in Free countries, where the People have a ſhare in the Government; and in no country in Europe, do they require ſo general an information in religious Controverſy, and at the ſame time ſo great a degree of civil Prudence, in the Pariſh-miniſter, as in this kingdom; diſtracted as it is, more than * any other country, by jarring Sects, and in a political ſituation delicate, beyond any other, from it's inferiority in power to the Siſter-kingdom, and from the various objects of rivalſhip and jealouſy between them. For what are the ſervices, to be wiſhed for from the national Inſtructors of a people in ſuch circumſtances? To form them to their Duty, not only as Men, but in many important

* Though ſome States of Germany are as much divided by religious Sects; yet thoſe Sects cannot cauſe ſuch diſtraction, as they would in a Popular Government. They are all curbed by the power of the immediate Sovereign; and kept in their proper relative ſituation by the publick Law of the Empire, which reſtrains the Sovereign himſelf from attempting an Innovation. Any change of Religion in the Court cannot affect the Eſtabliſhed Church.—The perverſion of the late Landgrave of Heſſe-Caſſel to Popery, did not weaken the Reformed Eſtabliſhment in that principality.—The adoption of Calviniſm by the Royal family of Pruſſia, (abſolute as thoſe Princes were) did not leſſen the right of the Lutheran Clergy to the Tithes of that Electorate.—And the late King of Pruſſia, by profeſſion a Calviniſt, was the public Guarantee of the Lutheran Religion in Saxony, againſt their late Popiſh Elector, Auguſtus King of Poland.

tant points, as Citizens too; that is, to impreſs on their minds, a Chriſtian ſpirit of Love to their fellow-citizens, who differ from them in religious opinions; together with reſpect to the Laws, loyalty to the King, and attachment to the Conſtitution; for this purpoſe to watch over and extend the Proteſtant intereſt, and for the ſupport of that intereſt, and the protection of this country from foreign enemies, to warn and guard their people againſt all inſidious attempts to weaken it's connexion with Great Britain.—It may ſtrike the imagination of ſome readers, that ſuch ſervices are beyond the general Abilities of the Clergy. Perhaps ſome Individuals of that body, as of every other numerous one, may be inſufficient to anſwer (as fully as could be wiſhed) the duties of their ſtation: but theſe *are the duties of their ſtation;* and it is no ſmall preſumption of their general ſufficiency, in compariſon with other Orders, that they are the only ſources of whatever Learning exiſts amongſt us, having the province of Education left entirely in their hands. And the eſtabliſhed Clergy of this Kingdom may with confidence appeal to Government, and to their Fellow-ſubjects, for their zeal for the Conſtitution, as well as for that example of a dutiful and orderly demeanour, which they uniformly have ſet to their Pariſhioners, in the moſt diſorderly and factious times. Now if theſe principles be juſt, and this fact true, which I defy malice to contradict, Can it be for the advantage of Ireland, in it's preſent degree of Civilization, and diſtraction by powerful Sects, the *political* tendency of whoſe principles has been already ſtated, to reduce clerical incomes to ſo baſe a level, as will exclude from the Sacred function all men of ingenuous Birth, promiſing Abilities, and liberal Education; and leave a truſt, ſo diffi-

cult as well as important, involving together with religious, every political and private intereſt, to the Loweſt of the people; to perſons, who can have no qualifications from education, to defend the eſtabliſhed religion againſt it's opponents, or to protect themſelves againſt that Contempt from their own flock, to which Poverty is uſually, however unjuſtly, expoſed? Can it tend to the advancement of the Proteſtant intereſt, that the bulk of the Proteſtant Gentry ſhould mark ſuch a Diſreſpect for their Clergy, as to adopt a meaſure, which muſt immediately reduce and vilify the Order? But I ſhall be told, that no ſuch thing is intended: the only object in contemplation is, to prevent the Clergy from having too much; which is to be apprehended from the preſent amount of church Livings, and the probable increaſe of them by the riſing Agriculture of this country.

Facts are the only ſure ground-work for the deciſion of this point: That is, facts of ſo general a nature, as to ſupport political concluſions. For the inquiry muſt be taken upon a large ſcale; not on the price of the tithe of a ſingle Acre, not by the rates of a ſingle Pariſh, nor by the amount of a few livings, which makes their incumbents conſpicuous; but on the proportion, which the whole ſum, raiſed for the parochial clergy ſhall be found to bear to the number, and ſtation, of the perſons employed. Such only are the proper reſearches of thoſe, who are to make National regulations. Though were the inquiry made as to Particular inſtances complained of, perhaps local circumſtances would fully explain and juſtify the ſuppoſed local grievance. The rate of tithe on an acre of Flax (for example) in ſome parts of Connaught, is much higher, than elſewhere; yet without ſuch

a rate

a rate on that uſeful culture, from want of other tillage, and the loſs of tithes of Agiſtment, the Miniſters of thoſe pariſhes would not be able to ſubſiſt. But we do not deny, that a ſingle Clergyman may be of a narrow diſpoſition, or which is more common, in narrow circumſtances, and demand more than is conſiſtent with ſuch a liberality, as could be wiſhed, to the farmer. So may a ſingle Landlord. But would any man in his ſenſes alledge ſuch a fact, as a *National* evil; as a motive for the legiſlature to interfere, to diminiſh *all* the Rents in the Kingdom, and in addition, to violate the Conſtitution? It is beyond the reach of Law in moſt caſes, to reſtrain Rapaciouſneſs, much more the effect of Want, in Individuals.

But in order to inveſtigate the truth, I ſhall proceed on a plan ſuitable to the greatneſs of the ſubject, by ſtating facts on a ſcale worthy of publick attention. If the publication could have been poſtponed, without defeating the purpoſe of it; that of undeceiving the Publick, with regard to the extent of the Revenues of the parochial clergy, before the meeting of Parliament; accounts might have been returned from every Dioceſs, ſimilar to thoſe which follow. But as the liſt ſubjoined comprehends a number of the beſt-endowed Dioceſſes, it will appear, I believe, to every candid inquirer, that the average income of the clergy throughout the kingdom cannot be greater, than that which is ſtruck below.

An Average, formed by dividing the aggregate income of all the Pariſhes, including Deaneries and other Dignities, by the number of Clergymen, would

would be, in the dioceſs of *Raphoe —	£250
Clogher — — —	187
Cloyne — — — —	180
Cork and Roſs — — —	150
Waterford and Liſmore — —	125
Killaloe and Kilfenora — —	120
Dublin — — — —	115
§ Clonfert and Kilmacduagh —	116
Killala and Achonry — —	90
	1333

Which Sum, divided by the number of Dioceſſes [reckoning united dioceſſes only as one] would give a general average of £148 : 2*s*. 2½ ℔ head to the whole body of the Clergy in the parts of the Kingdom above mentioned, (Biſhops excepted, whoſe Revenues are to be adjuſted on a principle diſtinct from the meaſure of Parochial incomes) provided they received their incomes without Defalcation. But as they muſt employ perſons to view and collect their Tithes, which incurs an expenſe of 5 *per* cent; and Inſolvencies, on an income compoſed of ſo many ſmall parcels, cannot be eſtimated at a loſs of leſs than 5 *per* cent. more; The ſum of £14 : 16*s*. 2½ muſt be deducted, which will leave the net ſum of £133 : 6*s*. for each clergyman, if the national allotment were diſtributed in equal portions.

In Scotland, the *loweſt* of their pariſhes amounts to £50 *per annum*, Engliſh money, together with a houſe

* The average is raiſed ſo high in this Dioceſs, principally by ſix rich Benefices in the Patronage of the Univerſity. See end of Sect. 6.

§ The number of Clergy would have been returned much greater, and the average leſs by £25, if the Dignitaries in the Churches of Clonfert and Kilmacduagh had been reckoned, as the income of ſome of thoſe Dignities is ſo exceedingly low, as not to be worth mentioning.

a houſe kept in repair, and a glebe ſufficient to keep a horſe and two cows; which accommodation may be eſtimated, according to uſual prices in this country, at £30 more. If then an average were taken, from £80 up to £180, (a ſum compounded of £150 in money, the *higheſt* income for *country* * miniſters, and £30, the value of their glebe) the Medium ſum would amount to £130 Engliſh money, or £140: 16*s.* 8*d* Iriſh; *though their eccleſiaſtical ſyſtem admits no Dignitaries.*—The pay, thought by Government proper for the Chaplain of a Regiment (which was ſettled at a time, when money was higher in value, than at preſent) amounts, after all ſtoppages, to upwards of £114 a year, though the Chaplains of Regiments not in Garriſon, or on actual Service, are at liberty to attend clerical duty elſewhere; and if with their Regiments, would be accommodated with Lodging. Either of theſe appointments, (which admit a fair competition, becauſe the value of the money is known,) is better than the average of the Iriſh national Clergy abovementioned.

A compariſon with the incomes of Foreign Clergy is not to be made with any degree of accuracy, on account of the different value of money; but the reader ſhall have the reſult, ſuch as it is, of my perſonal inquiry, and a late communication with Gentlemen,

† The Author is aware, that this mode of taking an average is far from exact, but not being informed of the aggregate income of the (944) Benefices in Scotland, he has no other. It is poſſible too, that *a very few* Livings may be ſomewhat under £50, but the number muſt be too ſmall to be conſidered in calculating an average; becauſe ſo long back as 1633, the King and Parliament "found it meet and expedient, that the loweſt proportion for "maintenance of Miniſters ſhall be eight Chalders of Victuals," the only reaſonable ground of fixing a Salary "or £44: 8*s.* 10½*d.* "Sterling, if there be as much free Tithes in the Pariſh." What would eight Chalders of Victuals coſt at this day?

* The Miniſters in Edinburgh have £200 a year.

Gentlemen, on whoſe reſearches I can better rely, than on my own. The *loweſt* ſalary from the State to a Pariſh-miniſter in Holland, is 600 Guilders, equal at leaſt to £60 Iriſh, a year; at Amſterdam, the Hague, and other great towns, it riſes as high as 2000 Guilders, or £200 Iriſh, beſides preſents to the Miniſters in Amſterdam, from the Eaſt-India company. An aged or infirm Clergyman, after an examination by the States, is declared *emeritus*, and diſcharged from his function, but enjoys his full appointments during life: and his ſucceſſor has immediately the full penſion allowed for that Church. The Widows of the Clergy receive penſions, † proportioned to the income of their late huſbands, in addition to one entire year's ſalary. An extract from an eſſay on the Right of the Clergy to a maintenance, publiſhed in London in 1726 by Mr. William Webſter, Curate of St Dunſtan, was communicated to me by a member of the Houſe of Commons in this kingdom, on whoſe accuracy I can rely, but who does not anſwer for the goodneſs of the Author's information. "The States of Holland "think £100 *per ann.* the leaſt which a Clergy-"man *unmarried* ought to be allowed. None of "thoſe who are *married*, have leſs than £150 a "year; and in their capital City, every one of the "*Eſtabliſhed Church* has a certain income of £300 a "year. They have not indeed ſo much *ſalary* from "the *States*, but their ſtated and fixed * preſents, as "certain as their ſalary, make it amount to that "ſum; and their Widows are allowed penſions."

In

† From 300 to 500 Guilders.

* It is the cuſtom, as I have been lately informed, to make annual collections for the Miniſters in all Pariſhes in the Country, as well as in the Towns, which are often of conſiderable amount.

In the Canton of Berne, the maintenance of the Clergy conſiſts principally in an allowance from the State, of Corn and Wine, and a very ſmall ſtipend in Money, as it has not received any conſiderable increaſe ſince the time of Calvin. But they have all comfortable Houſes and Glebes, and I am aſſured by a Gentleman of that Canton, equally well acquainted with this kingdom, that the average income of the Clergy there puts them in a ſtate more comfortable, and in a better relative ſituation, than the average above ſtated would place a Clergyman in this Country. The ſalary of a Miniſter in Geneva, though ſmall, not more than £60 a year, is yet competent to ſupport him with decency.

After this view of the ſituation of the Preſbyterian Clergy, compared with the other claſſes in ſociety,—and after allowing for the ſuperior facility of procuring the neceſſaries of life in the Countries juſt now mentioned; the general want of Markets in Ireland, which renders ſubſiſting on a ſmall ſcale, at once wretched and expenſive;—the miſeries of our unprovided Poor, which are a conſtant drain on the reſident Clergyman, where ſo large a proportion of the Proprietors of the eſtates in his pariſh reſide in another kingdom, and ſeldom contribute to the Poor;—the expenſes of building or paying for a Glebe-houſe, or renting a habitation at an exorbitant rate; Let the Reader then ſay, Whether £133 : 6*s. per ann.* be an exceſſive appointment, for a perſon inveſted with ſuch a truſt, as has been above deſcribed; placed in circumſtances ſo inconvenient and irkſome, after the expenſes and habits incurred by a liberal education; and excluded from any other employment? Or whether with leſs encouragement, any young man of family,

family, abilities, or education, would be deſtined by his parents to the church?

If it be ſaid, that from the unequal Diſtribution of the clerical fund, ſome have too much; I anſwer, that the diſcuſſion of that point (which is a great and doubtful one, ſince much may be ſaid for a Subordination of ranks amongſt the Clergy, as well as in the Army, or Navy, particularly in a conſtitution like ours) is totally irrelevant to the preſent queſtion. A Reduction of Tithes would only aggravate this ſuppoſed grievance, by reducing what is already ſuppoſed to be *too low*, ſtill *lower*. The ſmaller livings, that is, infinitely the greater number, would no longer afford a maintenance for the incumbent; *the churches muſt be ſhut up*. Eſſential harm therefore to Religion and the Proteſtant Aſcendency, muſt reſult from reducing the income of a pariſh too low.

But let me aſk any Layman of candour, and I defy any man of a contrary diſpoſition to point out, What particular miſchief could ariſe from the Wealth of a clergy, circumſtanced as ours, were their appointment (which is a † ſeparate allotment from the State, and does not intrench on the property of any other Subject) as great, as ſome men falſely imagine? The Regular clergy of the church of Rome indeed, being a ſeparate body, with an intereſt diſtinct from the general weal; claiming an exemption from publick Taxes, and from the Civil juriſdiction of their own country; and avowing a ſubjection to a foreign power, were, and are, a natural object of jealouſy and apprehenſion. This

† Tithes are thus deſcribed by Lord Coke, "*Decima pars*, which "we call Tithes, is an Eccleſiaſtical Inheritance *collateral* to the "Eſtate of the Land." Coke's Reports, Part 11. Priddle and Napper's Caſe, p. 14. a.

This every ſuperficial man has heard, and treaſured up in his memory in a confuſed manner; though probably he does not know, that at the ſeveral periods when *they* were moſt troubleſome and formidable, the Biſhops and Secular Clergy almoſt always ſupported their National Princes, againſt Papal encroachments. But in the preſent ſtate of our Church, why ſhould the Proſperity of the clergy be more an object of alarm, than that of any other claſs of citizens? Are they not involved in the ſame common intereſt, by domeſtick connexions? Do they not pay the ſame Taxes to the State, tho' they are the only claſs of his Majeſty's Subjects, who, however great their lay property may be, are precluded (by uſage, if not by law) from ſitting in that § Aſſembly, which has the excluſive power of *levying* taxes? Are they not amenable to the ſame Courts? Do they ſpend their incomes in a manner leſs advantageous to the publick, than their fellow ſubjects? Do they encourage vice more, or national manufactures and charity leſs, than other men? Is not their very Profeſſion, an additional motive to be exemplary in doing good, and refraining from evil? Do not whatever riches they acquire, merge in the general maſs of the wealth of the Laity? Into what other hands then could the State transfer *their* poſſeſſions, with any probable gain to the publick? In fine, to borrow a Query from my excellent and ingenious Predeceſſor Biſhop Berkeley, in a work * worthy the peruſal of every Iriſhman, "What "would the Publick loſe, if every Squire in the "land

§ The Author is far from regretting this excluſion. He thinks the admiſſion of Clergymen into the Houſe of Commons would be as pernicious in a Religious, as in a Civil view; and only points out this, as a Balance to the admiſſion of a certain number of Eccleſiaſticks into the other Houſe of Parliament.

* The Queriſt.

" land wore a black coat, and ſaid his Prayers, " and were obliged to reſide ?"

But here perhaps it may be ſuggeſted, that the Clergy, though they read Prayers, and preach, becauſe they cannot avoid it, muſt be remiſs in the diſcharge of their duty; or elſe more Converts would have been made to the Proteſtant church. Now without yielding on one hand to an indiſcriminate unjuſt Charge on the whole Clerical Body, or hazarding on the other an indiſcriminate Exculpation of every Member of it, I ſhall proceed to ſtate the Impediments, which the moſt Diligent clergyman meets with, from the Defective Settlement of the church of Ireland; An inquiry of a moſt intereſting nature to every ſerious Proteſtant, highly deſerving the attention of the members of the Legiſlature in particular, and calculated to throw a ſtronger light on the ſubject of the Parochial Revenues.

SECTION IV.

Of the Defects in the Settlement of the Church of Ireland.

THE object of Parochial eſtabliſhments being, to diſtribute through the country religious Inſtructors, and Places of inſtruction, in ſo commodious a manner, that the inhabitants of every diſtrict ſhall have both within his reach; the Settlement of a National Church muſt be deemed Defective, until thoſe points ſhall have been accompliſhed. How far the Church of Ireland is from that happy

happy ſituation, I need not ſay; The number of Clergy will be ſufficient evidence. In England, a country comprehending, according to Templeman's ſurvey, 49,450 ſquare miles of land, there are about 10,000 Clergymen; one, to ſomewhat leſs than five miles ſquare: In Ireland, comprehending 27,457 ſquare miles, about 1200; one, to near 23 ſquare miles. In the *ſmall* extent of the United Provinces, containing only 7,546 ſquare miles, there are 1570 Miniſters of the *Eſtabliſhed* Church.* —The want of Churches is ſo confeſſed, that the Houſe of Commons makes an annual grant of £5000, for erecting new ones.—Nay, the very amount of Tithes (now ſo much complained of) would alone beſpeak too great an extent of land in many pariſhes: It does not prove, that each farmer pays more, than he ought, to the incumbent, (for the latter can never get the value of his legal right,) but it proves, that the country is not provided with a ſufficient number of Inſtructors of the people.

In the province of Ulſter indeed, much has been done to remedy this evil, by the judicious and unwearied attention of it's excellent Metropolitan; and the ardour with which the Suffragans and Clergy of that Province have ſeconded his zeal. Not only many new Churches have been erected within theſe twenty years, but likewiſe ſuch a number of decent Glebe-houſes, as bear unequivocal teſtimony, that the clerical revenues have contributed their full ſhare to the improvement of that part of the Kingdom.—But far different is the ſtate of Munſter and Connaught. From the want of Tillage in thoſe Provinces, it became neceſſary, in the

* Tho' from the tolerating ſpirit of their Government, they have a great number of Roman Catholicks, Lutherans, Menonites or Anabaptiſts, together with ſome Epiſcopalians of the Church of England, and a few Quakers, and Moravians.

the laſt † century, to unite ſeveral, ſometimes from 5 to 9, pariſhes, not unfrequently containing a tract of Land 20 miles in length, in order to furniſh even a ſcanty maintenance for one Pariſh-miniſter. The Livings in Connaught remain in the ſame impoveriſhed ſtate; but in ſome parts of Munſter, from the increaſe of Tillage, the Rector of a large union derives from it a very conſiderable income. This income however ariſes from ſuch an extent of land, as would require two, or perhaps three Churches, to accommodate the different diſtricts of it, and of courſe reduce the maintenance of the Clergy employed therein to a very moderate level. It is evident at the firſt glance, that the Reduction of tithes muſt render ſuch unions perpetual, and ſet up a permanent unſurmountable bar againſt the Progreſs of the Proteſtant religion.* I am aware that it may be ſuggeſted, that little hope of an increaſe of Proteſtants, ſufficient to require ſuch an additional number of Churches, can be derived from the progreſs already made in Converſion. It is true, that the Progreſs has not been in proportion to the goodneſs of the cauſe, but the reaſons of it are by no means underſtood. I ſhall now ſtate them.

Beſides

† See Lord Strafford's Letters.

* So great a number of ſuch unions ſtill exiſts, and ſo many ſmall pariſhes are unprovided with Proteſtant places of worſhip, that it would require a much more extenſive and accurate knowledge of the ſeveral parts of this kingdom, than the Author can pretend to, (or poſſibly, than any one of the projectors of a new plan poſſeſſes) to aſcertain the future number of Clergy, when the whole country ſhall be competently furniſhed with Churches; and of courſe to determine how far the Tithe, ariſing from even a much more extenſive cultivation than the preſent, would be ſufficient for their maintenance. All that can be relied on at this moment is, that matters are not ripe for that deciſion; and that it would be raſh, to a degree of madneſs, in the Proteſtants of this country, by any premature ſtep to curtail the neceſſary reſources for adding to their number. And ſurely they have little inducement to truſt, for the future arrangement of the Church, to the hazardous ſpeculations of thoſe, who do not underſtand it's preſent ſtate.

Beſides the very great extent of many pariſhes and unions in the Popiſh parts of the kingdom already mentioned, which renders it *phyſically* impoſſible for the clergyman to attend properly to every part; and beſides the want in many pariſhes, of any Church, in moſt, of one commodiouſly ſituated, for the purpoſe of calling his congregation together for devotion and inſtruction; the Clergyman labours under another material diſadvantage, from the almoſt univerſal want of Glebes. The Roman Catholicks, who compoſe the bulk of the pariſhioners, being in general but little inclined to accommodate him, or his Curate, with a Lodging; he is frequently under the neceſſity of reſiding at a diſtance, inconvenient for even the ſtated weekly duties of his office, and abſolutely incompatible with an attendance, ſuch as the circumſtances of his pariſh would require. The difference of Language is likewiſe a very general (and where it obtains, an unſurmountable) obſtacle to any Intercourſe with the people.—Can it then be matter of ſurprize, or of reproach to the eſtabliſhed Clergy, that under ſuch diſadvantages, they cannot prevail againſt a Prieſt always at hand, and maſter of the Iriſh language;* whoſe efforts are ſeconded, not only by rooted prejudices, ſtrong in proportion to the ignorance of the people, and by habits of obedience from his flock, who look up to him for Abſolution; but a zeal too in the Laity of that perſuaſion (that is, almoſt the whole neighbourhood) to make Proſelytes, and by the terror, hanging over every perſon who quits the Romiſh Communion, of being cut off, as it were, from Society? Whilſt the Lay Proteſtants in general do not ſecond their Clergymen

* If it be aſked, why the Clergy do not learn the Iriſh language, I anſwer, that it ſhould be the object of Government, rather to take meaſures to bring it into entire diſuſe.

Clergymen by their exertions; and too many of the Higher ranks diſcountenance all Religion, by entirely neglecting Publick Worſhip.—This view of the Proteſtant intereſt is gloomy indeed; but the gloom, thick as it is, may be gradually diſpelled. The Engliſh language is becoming more general. The number of Churches increaſes; † and by the increaſe of wealth from the extenſion of commerce, will be likely to be ſtill more rapidly augmented. The attention of Government has been drawn to extend the bleſſings of Education; which by planting knowledge, will tend to eradicate error. Means may be deviſed to procure Glebes; and the clergy be enabled to reſide in their pariſhes. Inconvenient unions may be diſſolved. The Clergy may be multiplied, in a proportion equal to the riſe of Agriculture; and the propagation of true Religion keep pace with the cultivation of our lands. The difficulties of ſupporting and extending the Proteſtant intereſt, tho' great, are by no means inſuperable; if the Legiſlature ſhould give to this great national object that ſteady attention, which it ſo well deſerves. But the evils political as well as religious, attending a deſpair and dereliction of it, are *without number, and without remedy.*

It muſt be evident on the ſlighteſt conſideration, that *any* Reduction of the incomes of the parochial clergy, muſt be highly injurious; a conſiderable one, fatal to the Proteſtant eſtabliſhed Church. It muſt, in the firſt place, perpetuate large Unions: it muſt render ſmall pariſhes incompetent to ſupport a reſident miniſter; of courſe, put a ſtop to the building of Glebe-houſes: and not only prevent

† See Sect. 7.

vent the erection of new churches,* but ſhut up a conſiderable number of the old ones. The number of Proteſtant clergymen muſt in the ſame degree be diminiſhed, and rendered ſtill more unequal to the care of ſuch an extent of country; their rank and education become inferiour, and their influence proportionably decline; which muſt raiſe the comparative influence of the Romiſh clergy, and occaſion Popery to gain ground on all ſides. The hopes inſpired by ſuch a manifeſt diſregard in the Legiſlature to the Proteſtant cauſe, would animate the efforts of the Romiſh Prieſthood, and of the foreign States, who now think it *their intereſt*, to form Eſtabliſhments for their Education. The Queſtion therefore of this day is not, Whether a few clergymen richly beneficed ſhall have their incomes curtailed? but Whether *very many* pariſhes ſhall inſtantly be left without any Proteſtant miniſter, and the Proteſtant religion rapidly give way to Popery, till it be totally extinguiſhed?

* The pariſh of Ballytourney in the Dioceſs of Cloyne (the Church of which is in Ruins) will be an inſtance in proof, if proof were neceſſary, how effectual the Reduction of Tithes would be to prevent the building of Churches, and the progreſs of the Proteſtant Religion. The Tithes of this pariſh were let many years ago for £60 *per ann.* as I am informed, and are ſuppoſed now to be worth between £200 and £300, according to the uſual rate of ſetting Tithe. In conſequence of a Combination in that *extenſive* pariſh, the Tithes are now reduced ſo low, that the late Incumbent did not receive from it £10 *per ann.* and reſigned it into my hands. A Clergyman of very diſtinguiſhed piety and merit, who was at that time Curate of the adjoining pariſh, was collated to it by Me and inducted. But when he was going on a ſubſequent Sunday to read the Liturgy in the Ruins of the Church (as appointed by Law) he was warned, not to proceed, as a band of the Popiſh inhabitants was collected at a neighbouring Chapel, for the purpoſe of taking away his life: He accordingly deferred executing his intentions at that time, and when afterwards he was performing that duty, very large ſtones were thrown at him by perſons unknown. I had ſome time before taken meaſures to get the old Church repaired, or a new one built; but this Combination defeated my purpoſe. I appeal for the truth of theſe particulars to Sir John Colthurſt of Ardrum, Bart. who though not reſident in the pariſh, is proprietor of more than half the lands. His Father, as I am informed, rented the Tithes.

SECTION V.

On Commutation.

IN the foregoing Sections it has been placed, I conceive, beyond the reach of doubt, that the Eccleſiaſtical eſtabliſhment is an eſſential part of the Conſtitution of this Kingdom; that the preſervation of it is peculiarly intereſting to landed property, as well as to the Proteſtant aſcendency which cements this Country with Great Britain; and that the Church of Ireland would not only be ſtopped in it's progreſs to a complete ſettlement, by any conſiderable diminution of the fund for the ſupport of the Clergy, but would ſink rapidly more and more below it's preſent very imperfect ſtate, till the conſequent progreſs of Popery had entirely overwhelmed it.—But many, who concur in thoſe ideas, are yet of opinion, that the preſent mode of providing for the Clergy is inconvenient; and may ſafely be exchanged for ſome other, equal in value to the preſent Clergy and their ſucceſſors; and attended with fewer inconveniences to the Publick. This project of innovation (generally called Commutation) ſhall now be examined; and to do it fairly, I ſhall ſtate the Objections againſt Tithes, in their full force.

I allow,

I allow, that they operate* like a tax on induſtry, and ſince the loſs of Tithes of Agiſtment, a very unequal one; that they are occaſionally the cauſe of contention between the Miniſter and Pariſhioner; and when that happens, an obſtruction to his miniſtry: and that they are a troubleſome ſpecies of property to the Clergy. I ſhall further allow, that if the farmer could really put the value of the Tithes in his own pocket, (which I ſhall ſoon prove he cannot, except during the continuance of the leaſe now ſubſiſting) it would be an encouragement to the Plough.

The

* I ſay *like* a tax, for Tithes, ſtrictly ſpeaking, *are not* a tax, though with an invidious view repreſented as ſuch. And much miſchief ariſes from the adoption of improper terms, ſuch eſpecially as carry with them a falſe Aſſociation of ideas, injurious to any individual, or claſs of men. I therefore wiſh to take off the unjuſt impreſſion, that a Clergyman, when he is ſetting his Tithe, is collecting, and ſtriving to increaſe, a tax from his pariſhioners for his own uſe; which will be done effectually, by explaining the word *tax*. A tax is a portion of the Property of the Subject, levied by Law, for the Publick uſe. Now Tithe of the produce of the land, though raiſed by the induſtry of the Farmer, is not his *property*. It was not his Landlord's, not being comprized in the Royal Grant of the lands; and if it were loſt to the Clergy, muſt revert to the Crown, the fountain of property. Again, the portion of Tithe paid to the Miniſter of a pariſh is not levied for a *publick* uſe; for he is retained to perform religious ſervices for the inhabitants of that particular pariſh only, and ſhould be paid by thoſe, whom he ſerves. His not being appointed by them is no objection; His nomination is in the hands of thoſe, who have not only a more competent judgment, but a better Right: for he is appointed either by the Crown, the fountain of property; the repreſentatives (either by deſcent or purchaſe) of the Lord of the Manor, who founded the pariſh; or the Biſhop, or other perſon, to whom the right of Advowſon was transferred either by the King or the Lord. And the purchaſer or renter of lands took his intereſt in them, on this footing. Tithe therefore is a payment of his quota for ſervices; and, if Tithes of Agiſtment had not been wreſted from the Clergy, in a manner contrary at once to the conſtitution, law, and common ſenſe, would have borne an equitable proportion to his ability.—The caſe of Impropriate Tithes does not come within the ſcope of this treatiſe.—The caſe of Diſſenters, who reject the ſervice of the Clergyman, has been conſidered in Sect. II.

The Objections to Tithes are ſtriking; they float on the Surface; it is ſcarce poſſible, not to ſee them. And from thence a judicious man would be led to ſuſpect, That ſuch obvious inconveniences could never have been ſubmitted to, for ſo many centuries, by ſo many wiſe States, by the whole Weſtern Church, comprehending every poliſhed nation in Europe (the ſmall diſtricts, inhabited by the Preſbyterian ſect, excepted) That not only Italy, Spain, Portugal, Germany, Denmark, Sweden, Hungary, and Poland (the Legiſlatures of which might be ſuſpected of leſs attention to *œconomical* ſubjects) but that even the commercial States of France and England, ſhould have perpetuated ſuch a burden on the plough; and in their various ſpeculations for the encouragement of Agriculture, not have aboliſhed Tithes; had it been *quite ſo eaſy* a matter, as ſome perſons conceive, to find a proper Subſtitute for them. Can it be conceived, that the Clergy, in ſome one of theſe Countries, feeling as they muſt, the trouble and vexation, attending this ſpecies of property, and poſſeſſing as they occaſionally did, ſo undue an aſcendency over their princes, would not have brought forward ſome plan for a more eaſy maintenance; if ſuch maintenance could have been deviſed, with ſafety to their Order: to which, in the worſt of times, they have ſacrificed their private emolument? For it cannot be pretended, that a notion of Divine Right prevented that improvement, becauſe the idea of Divine Right was never univerſal: nor was the partition of Tithes the ſame in all places; and yet even the great change of the Reformation by Luther, in Germany and the North, and by Henry VIII. in England, tho' it ſubverted ſeveral of the other branches, made no alteration in this part of the

Eccleſiaſtical

Eccleſiaſtical revenue.§ Tithes, with all their manifeſt inconveniences, were continued. Either therefore we muſt conceive, that all theſe States, the moſt enlightened in the world, have remained for ages in one palpable pernicious blunder, through mere chance and inattention; Or there muſt be at bottom ſome very ſound reaſons, to prevent their attempting a change, which appears ſo eaſy, as well as beneficial, to a few politicians in this kingdom. Perhaps, on dipping beneath the mere ſurface, we may diſcover ſome of them.

In England, for inſtance, which is the ſource of our eccleſiaſtical eſtabliſhment, when the Lords of Manors wiſhed to fix reſident paſtors amongſt their tenants, inſtead of their being ſupplied with occaſional ones by the Biſhop; they inſiſted, that the Tithes of their reſpective lands, paid before into the common fund of the Dioceſs, ſhould be appropriated to them. The plan was reaſonable: the ſervice was reciprocal between miniſter and pariſhioner; each in his vocation laboured for the other. It is not eaſy to conceive, in thoſe times, when by the Feudal ſyſtem, which pervaded almoſt all Europe, all the peaſants were vaſſals to the Lords, and the very Rents were paid principally in kind, what other mode could have been adopted of providing for one, who was not able to till the ground with his own hand, or if he could, ought not to conſume his time in an occupation, which would have defeated the purpoſe of his Reſidence.

On

§ Even in the Calviniſtical States of Germany (namely the Palatinate and the Principality of Heſſe) the Reformed Clergy retain their Tithes in the ſame proportions as the Roman Catholick Clergy enjoyed them; except only, that within theſe fifteen years, the Duke of Deux-ponts who embraced the Roman Catholick Religion ſeized the Tithes of his ſmall State, and took upon himſelf the maintenance of the Clergy. A complaint of this invaſion of the Publick Law of Germany has been preferred to the Diet at Ratiſbon.

On trial of this eſtabliſhment, it was probably obſerved, that Tithes riſe and fall with the value of money, and therefore are equal to ſucceſſive incumbents; that they riſe and fall with the value of the crop, and therefore are at all times an equal burden on the huſbandman; that they vary according to ſituation, being higheſt in the neighbourhood of great Towns, where the market is higheſt to the farmer, and the price of the neceſſaries of life to the clergyman.—It was probably obſerved, that this mode of payment rendered the Clergyman more dependent on the Goodwill of his pariſhioners, than land, or any other ſeparate poſſeſſion; that it reminded him of his paſtoral duty to each individual, thus annually contributing to his ſupport; that the very intercourſe of buſineſs which it created, though ſometimes the cauſe of contention in making the bargain, gave very frequent occaſion to acts of kindneſs and conciliation, on the part of the Clergyman, as to the reſpite, or entire remittal of payment, which the ſmallneſs of the ſeveral ſums might enable him to afford †. It might eaſily be diſcerned,

† The very Proceſſes brought by the Clergy, for the recovery of ſums due for tithes, would bear frequent evidence of a forbearance unuſual in the demand of other debts, if the date of the agreement were adverted to; and would ſilence the invidious reflections, derived from the number of them, which is owing to the multiplicity of contracts made in every pariſh. Theſe reflections indeed prove only the difficulty, with which the Clergyman collects his preſent income, and the conſequent impropriety of diminiſhing it; for ſurely the blindneſs of prejudice cannot go ſo far, as to make any man think it unreaſonable for a Clergyman to ſue, if it be neceſſary, for the price of his property. To any man converſant in the management of tithes it is evident, that the beſt mode for the accommodation of the pariſhioners is, to ſet to every individual his own; which tends, by multiplying Contracts, to give occaſion to many Proceſſes. Theſe Proceſſes might be avoided, by ſetting them by ploughlands, to thoſe worſt of tyrants, the petty landlords. A Tithe-farmer would prevent all proceſſes by the Clergyman. Complaint therefore of the number of Proceſſes argues want of due conſideration of the ſubject.

diſcerned, and was well worth attention, in times when the Church arrogated to itſelf privileges dangerous to the State, that a property thus diſperſed in trifling parcels, and inſeparable from the property of the Laity, was accompanied with far leſs Power, than what would have been derived from Land, or any other poſſeſſion, of the ſame value. It was probably conſidered, as one cauſe of attachment of the Secular Clergy to the Government, and prevention of their uniting with the Regular Romiſh Clergy, in encroachments on the Civil power; which (from the diſperſion of the former in all parts of the country, and the influence of their ſuperior education and venerable office over the whole peaſantry) would have been a very formidable acceſſion.—It could not fail to have been obſerved, that Tithes tend to promote Reſidence, more than any other mode of ſupport. For the rent of Glebes, or other fixed yearly revenue, may be received and ſpent any where; but the management of Tithes requires ſo much attention, that the income from them muſt ſuffer conſiderably by Abſence.

It may be ſaid, Reſidence may be ſecured by Law. So ſuperficial men think; but Reaſon, as well as fact, proves the contrary. There are ſo many occaſional circumſtances, which render reſidence impoſſible, that it is neceſſary to lodge in ſome perſon a diſpenſing power. That power, wherever it be lodged amongſt human creatures, is liable to abuſe, through inattention, through miſinformation, through favour, through falſe good-nature, or (which is more common) through a fear of that Obloquy, which the enforcement of Diſcipline ever excites, even from thoſe, who clamour loudeſt againſt the relaxation of it. The moſt effective

method

method of inſuring reſidence, is by an income, which will be certainly impaired by non-reſidence; as in all inſtances, that is the beſt Law, which executes itſelf, by annexing an Immediate reward to obedience.—Further, though the loſs on Tithes be ſufficient to diſcourage Non-reſidence; yet Tithes do not hold ſuch temptation to the reſident Miniſter, to immerſe himſelf in ſecular concerns, in order to increaſe his income, as an allotment of Land; which might induce ſome to devote their time to Farming, and by ſo laborious and low an employment, leſſen not only their attention to their duty, and their application to learning, but likewiſe the reſpectability of their Character.

Theſe conſiderations, and ſurely they are of ſome weight, ſhould be put fairly in the ſcale againſt the Objections, to which Tithes are confeſſedly liable; but the balance is, and ever has been, turned in favour of them, with the wiſeſt Legiſlators, by the difficulty, hitherto eſteemed *inſuperable*, of deviſing a Subſtitute, liable to ſo little Objection.

What ſcheme, if any, may be in the contemplation of the preſent favourers of innovation, the writer cannot decide. None has yet appeared: * and

* Of courſe, nothing is left for the Author, but to draw his conjectures of the ſpecies of Innovation which may be intended, from the projects ſuggeſted in common Converſation.—The ſeveral plans hereafter mentioned are not however mere phantoms of his own creation, but ſchemes which he has heard men, of good judgmenton other ſubjects, endeavour to ſupport; and the leaſt abſurd (which is the true line of compariſon, in this caſe) which have come to his knowledge. The judicious reader therefore, when tired of attending to the detection of ſuch abſurdities, as are obvious to a good underſtanding, will pardon a treſpaſs on his patience, neceſſary to an Author, who is reduced (by the importance of his ſubject) to the neceſſity of obviating the prejudices of the ignorant, and anticipating the whimſies of projectors.

and if no perſon has a right to be called a Friend to Commutation, who has not a *diſtinct idea* of the *two* things to be exchanged (which ſeems a reaſonable principle) Commutation has, I believe, few, if *any*, friends. The general confuſed approbation of it amongſt the Laity is little more than a proof, that ſome of them have diſcovered the Objections to Tithes above ſtated, or that the Generality wiſh to get rid of an obligation to pay money. They conſider Tithes as a tax, and they do not reliſh the payment of any kind of taxes. But if Tithes were a tax, that ſuppoſed tax is deſtined to the moſt neceſſary of all political purpoſes, the Civilization of the people. Now when any new tax is oppoſed, the Miniſter ſays with great juſtice, If you diſlike this, propoſe a better: and whenever a better plan ſhall be ſuggeſted for the payment of the Clergy; that is, one equal in value to them in ſucceſſion, and more convenient to the Laity, they will thank the Stateſman, who ſhall diſencumber them of the conſtant Trouble, and the occaſional Ill-will, ariſing from Tithes. At preſent, they wiſh the old ſyſtem to be continued, from deſpair of ever ſeeing ſo good a one eſtabliſhed in it's place. A little reflection will diſcover the complicated difficulties attending ſuch an attempt in this Kingdom.

The firſt ſtep towards Commutation is, to aſcertain the preſent Value of Livings. This is eaſily talked of; but not quite ſo eaſily effected. Who are to be Commiſſioners for making this valuation? Are they to be a mixed body, half lay, and half clerical; or are Laymen of property to decide, how much of that property they are to give for the Tithes of the Clergy? Would the Laity think it juſt, that Clergymen ſhould be the ſole Commiſſioners?

ſioners? Or would the State be ſafe, in leaving the ſupport of a *neceſſary* claſs of their Officers, expoſed to the intrigues of *private* rapaciouſneſs; any diminution of which ſupport muſt either take from the publick Service, as proved above, or occaſion a general Tax to replace it?

But ſuppoſe proper perſons appointed, and that no one were allowed to be a Commiſſioner in a Dioceſs or County, in which he had any property, then you take for granted, that he would be impartial. Yes: except he be ill inclined to Religion, or to eccleſiaſtical eſtabliſhments in general, or to the eſtabliſhed church in particular; or may think the Living too large, or that the Clergyman ſhould be fined for voting wrong at the laſt Election; or may wiſh to make a good Bargain for a relation, a friend, the Great man who got him the place of Commiſſioner, or for a principal ſupporter of his Patron's party; or if he be a Member of Parliament, ſhould be apprehenſive for his own Popularity.

But ſuppoſe the Commiſſioners impartial, and without Connexion in the parts of the Country, in which they are reſpectively to act; Are they to value the property of both Laity and Clergy in places, where they are entire Strangers, and of courſe incompetent to judge? Or are they to impannel a Jury of the Vicinage, who are ſuppoſed to know facts; and leave it to the conſciences of the tenants or followers of the landed Gentleman, to adjuſt this complicated buſineſs between him, *themſelves*, and the Parſon of their pariſh? On what evidence, are the moſt impartial Commiſſioners and Jury to aſcertain the average value of a Living? Are they to rely on the Oath of the

the Miniſter? Perhaps the Pariſhioners might not think that quite fair, in a matter of Property; nor would it be ſtrictly conſiſtent with legal impartiality. But the clergyman may be lately inſtituted or collated. In that caſe, are they to refer to the books of the Predeceſſor? Perhaps he kept none, or very confuſed ones, and he, or his Repreſentatives, if he be dead, may refuſe information; from influence, eſpecially in the caſe of private patrons, or from a diſpute with the ſucceſſor. Is the late proctor or Tithe-farmer to be reſorted to, for evidence? Perhaps even the *Proctor*, whoſe office is at an end by the ſuppoſition, will not give any; for it can ſcarce be expected, that he will incur the permanent hatred of all his powerful or ſavage neighbours, in order to ſerve a man, who came yeſterday, and may be gone to-morrow. Will he from a diſintereſted and intrepid purſuit of juſtice, expoſe himſelf to have his houſe burnt, his cattle houghed, to loſe his ears, or be buried alive? As for the *Tithe-farmer*, he certainly will not reveal his Profit, with no poſſibility of advantage to himſelf, but on the contrary, with a certainty of being abhorred for what is called Extortion, and being puniſhed by the mob, as if it really were ſuch; and at the ſame time, of diſcovering to his late employer, how much he had impoſed on him. It ſeems to me in moſt inſtances impoſſible for the Clergyman to procure ſuch evidences of an average value, as would not leave latitude enough to ſuch Juries,* as are likely to be impannelled, to deprive him of half his income. I leave this point to the conſcience of any man, ſufficiently converſant with trials at Law in this Country to be able to draw up an Act of Parliament.

But

* See Note Page 71.

But if the value of the Living were aſcertained, how is the Equivalent to be raiſed? I can conceive only three modes; a ſalary out of the publick treaſury, a rate on the Pariſh, or a portion of Land. * In the firſt caſe, the inhabitant of Dublin or

* A Corn-Rent, recommended in general terms by the learned Archdeacon of Carliſle, (in his Moral and Political Philoſophy) is not ſufficiently explained by him, to be fairly examined. If it means, what is *generally* underſtood here by that term, a rate for Tithe of corn, payable like Rent, it is not a Commutation, but a Modus. The operation of a Modus is well known to the Clergy by fatal experience. If it be perpetual, it is unequal to ſucceſſive incumbents, as it does not vary with the value of money: and at all times it is unequal to the occupiers of land of different degrees of fertility: in different ſeaſons, it is an unequal burden on the ſame farm, as it does not vary with the value of the crop. It bears hardeſt on the pooreſt lands, the tillage of which will be diſcouraged. The proprietor will of courſe ſuffer, by the diminution of rent; the publick, by the loſs of cultivation. It bears hardeſt on the pooreſt farmers, who have not the means of manuring highly; and in addition to the landlord's rent, would be inſupportable to the lower tenantry. It bears hardeſt in bad ſeaſons, becauſe it takes the ſame ſum out of a crop of ſmaller value. In every view, the burden lies heavieſt on thoſe, who are leaſt able to bear it. This ſurely is calculated to grind the faces of the poor; and in point of equity, as well as charity, bears no competition with the old ſyſtem.—If by a Corn-rent is meant a rate of each pariſh, varying with the price of Grain, as the Rent of Eſtates belonging to ſome Colleges in the Univerſities of England is adjuſted; that could not be applied with equity to a grazing country, as the profit on Cattle might be low, at a time when the price of Corn was high.—But further, what remedy can the Clergyman have, in caſe of non-payment of this Corn-rent? At preſent, he has either his Tenth, or a civil bill Proceſs for the compoſition, or for the value proved in caſe of Subſtraction. But how is he in future to recover his debt? Is it by diſtreſs? The prior demand of the landlord will in all doubtful debts defeat him. Is it by perſonal action? And is the Clergyman to arreſt his pariſhioner, and carry him to Gaol? This *doubtleſs* would ſerve to endear him to his pariſh, and take off the obloquy, which he now ſuffers merely for proceſſing him to the aſſizes! But will not ſome one be found ready to report to the Legiſlature the number of perſons *impriſoned* at the ſuit of the Clergy; in hopes of taking away that which was given, on former repreſentations, in lieu of their Tithe? Let any man, converſant with the manners of our lower people, figure to himſelf the ſituation of a pariſh, in which the incumbent is neceſſitated to cauſe to be arreſted the ſame number of his debtors, as he is now obliged to proceſs. If a bailiff could

or Cork, who pays his own miniſter by a rate on his houſe, would likewiſe pay the Country clergyman his quota by a new tax. Or if miniſter's money were aboliſhed, and the tax were raiſed on general conſumption, it would be as unequal and unfair to the reputable inhabitants of great Towns. —A large pariſh in the Country, the property of an Abſentee Landlord, and inhabited by Beggars, would contribute as little to the Eccleſiaſtical eſtabliſhment, as it now does to the Civil and Military, or to the Poor.

If the Equivalent is to be raiſed within the Pariſh, are the Graſs-lands to pay, and the *politick* and *conſtitutional* regulation of Tithes of Agiſtment to be defeated? Will the purchaſer or renter of ſuch lands (ſuppoſed, though not really, Tithe-free by virtue of that Vote) like to be ſubjected to a new tax? If that ſhould not be thought equitable, Is the farm under Grain at the firſt applotment, to lie under a *perpetual* tax, though it ſhould afterwards be converted to Paſture; and the grazing farm to remain *for ever* free, though afterwards ploughed? Or is there to be a new applotment every year? What if a great part, or the whole of a pariſh, lately under corn, be converted to paſture, in conſequence of the increaſe of a neighbouring town; Is the old rate to be continued? If not, and the adjoining pariſh, which in conſequence of the alteration, now ſupplies the town with grain, be more ploughed; Will the equity of the new

could be found deſperate enough to begin, can it be imagined that the priſoner would not be inſtantly reſcued by ſuch a multitude of his fellow-debtors? The impoſſibility of recovering would be a virtual releaſe of all Tithe-debts. The attempt to recover, if once made, would never be repeated; and the miniſter muſt ſit down quiet (as is the caſe at preſent in ſeveral pariſhes, through the violence of the White boys) under the loſs of his whole income. This regulation tends to the extinction of the Order.

new regulation give to the *aggregate* of the proviſion for the Clergy, an increaſe in that *ſecond* pariſh, adequate to it's loſs in the *firſt?* Will the farmers of the ſecond pariſh reſt content; and not become *Whiteboys*, on a little proper encouragement? And when that Encouragement has been found ſo profitable to themſelves, and *ſo injurious to the proteſtant religion*, in the year 1786, Is it likely to be wanting in future? What a Chaos of confuſion will ſuch an innovation create! and after all, produce a ſpecies of payment, that not only will not vary in a reaſonable proportion to the times; but will vary in a ratio, the *reverſe* of right. The money paid to the Clergy will be worth leſs, in proportion as the other claſſes of ſociety are riſing in affluence; and they of courſe will ſink in their relative ſituation. If it be ſaid, a new valuation muſt be made, at a reaſonable interval; then the general Confuſion is to return periodically, like a general Election. But I fancy, if once tried, it would never be repeated for the mere purpoſe of keeping up the income of the Clergy, eſpecially if a general Canvaſs were at hand. And ſhould it be attempted, by what gauge is the *new* valuation to be regulated? That of *average* is at an end.

It appears to me, that if Tithes, that is, a part of the Produce of the land, be withdrawn from the parochial Clergy, the only other endowment, equal in ſucceſſion, muſt be a portion of the Land itſelf. And if the valuation were fairly made, the exchange would certainly be advantageous to the preſent Incumbents of pariſhes; yet it would be the duty of the Clergy, and every Proteſtant, to oppoſe it, as by limiting the quantity of land to the preſent value of Tithes, it would in moſt caſes limit to it's preſent *low* ſtandard the Proteſtant Eſtabliſhment.

In

In all the grazing countries, for inſtance, ſhould the clerical incomes be fixed by a portion of land, merely equal to the *preſent* tillage, and the lands hereafter be broke up, and ſtocked with inhabitants, there would be no fund to pay additional Proteſtant Clergymen: The Proteſtant religion muſt either be for ever ſtopped in it's progreſs, or ſome *new burden* laid on the nation at large.

But further; how would the Laity like to be *forced** to ſell their property? What difficulties and diſcontents would attend a general Commutation through the realm! No one can form an idea of it, but a Lawyer who had taken into conſideration the difficulties attending the Act of Settlement in this kingdom. What Body of men could be found, fit to be entruſted with the whole property of the nation, lay, as well as clerical, to deal it out as they ſhall think proper? Are they to judge, like the Perambulators of the boundaries of a pariſh, without appeal; and the whole realm to lie abſolutely at their mercy? If an appeal lie, to whom, and at whoſe expenſe? Is a new Court of Claims to be erected, to adjuſt the Titles of the parties to the reſpective lands, and to aſcertain the ſeveral incumbrances affecting the ſame? Is every Clergyman in the kingdom to be expoſed to a law-ſuit with his whole pariſh (at a time when his entire income is unſettled †) in order to give him a more *eaſy comfortable*

* The reſpectable authority of the Dean of Glouceſter has been quoted, in favour of a commutation of Tithe for Glebe, but his propoſal is only for a voluntary exchange; and it is by no means clear, that ſo judicious a man would wiſh even that to take place in this Kingdom, where the circumſtances of the eſtabliſhed Church are ſo widely different from thoſe of the Church of England. See below Sec. 6.

† If it be ſaid, that he will enjoy his Tithe, till he is entitled to the value in land; I anſwer, that it will be the intereſt, of courſe the object of every pariſhioner, to lower thoſe Tithes, which he has it in contemplation to purchaſe.

fortable maintenance, and endear him to his pariſhioners? If in a ſingle ſmall Pariſh there be 174 Perſons poſſeſſing Lands in perpetuity (I allude to an inſtance certified to me) are there to be 174 Glebes ſet out for the Pariſh-Miniſter, as an Equivalent for the Tithes payable by the ſeveral Farms?—One fact is clear, that during this bleſſed interval of new-modelling the Church, no one individual will be able to ſay "*This ſpot of land is* "*my property!*" The whole kingdom will be in a ſort of *Abeyance;* and it will depend on the breath of the Commiſſioners, or the final court of Appeals at leaſt, to determine in whom every parcel ſhall be veſted. In this awful period of ſuſpenſe, during the inquiry of the Commiſſioners, and the ſubſequent lawſuits, (a period ſo indefinite, that it would puzzle the moſt experienced Practitioner in the Courts, to calculate it!) there muſt be a pauſe of all tranſactions, in which land is concerned. All transfers of real property muſt be ſtopped: No eſtate ſold, or mortgaged, or included in a marriage-ſettlement.

But ſuppoſe theſe obſtacles to a fair Equivalent in Land be removed, who would be a gainer? The burden of maintaining the Clergy would ſtill remain in it's full weight. The owner of an Eſtate would not have been advantaged (as he now hopes) by getting the tithes, which neither he, nor thoſe whom he repreſents, paid for; nor would the Farmer's leaſe be improved one jot, as he muſt (unleſs the landlord be generous enough to pay the difference out of his own pocket) have leſs land for the ſame rent. But the country will then be more cultivated. How? by throwing into *Mortmain* an extent of land, equal in value to the Tithes of the whole kingdom; and a Mort-

main

main too of ſo diſadvantageous a kind, that the poſſeſſor cannot give a tenure longer than his own incumbency; which limitation is abſolutely neceſſary to preſerve the value of the property in ſucceſſion? Thoſe gentlemen who complain of the ſhortneſs of Biſhops' leaſes for 21 years, would not ſurely approve of condemning for ever ſo large a portion of the ſoil, to what would be (according to their ideas) a total want of Improvement; but will probably think it more adviſable, to let the burden be diſtributed in it's preſent form; as the very complaints of the amount of Tithes, and apprehenſion of their increaſe, are concluſive evidence, that they do not materially impede Tillage; notwithſtanding the obvious and baneful operation of that ſenſeleſs and unjuſt vote of Agiſtment.— Thoſe who are jealous of the Political influence of the Clergy, would probably not conſent to render dependent on them ſuch a proportion of the tenantry of the whole realm.

What then on the whole would be the operation of this change? At the outſet, it would unſettle all the lands of the kingdom; and when that was at length adjuſted, it would diminiſh, rather than advance the Improvement of them; at the ſame time by taking away the connexion of buſineſs between the Miniſter and Pariſhioner, it would facilitate, and of courſe encourage Non-reſidence.— In reſpect to the Farmer, it is apparent from the reaſons above ſtated, that he is on a better footing, in his treaty with the Clergyman for Tithe, than he could be, in his renewal of a leaſe for land tithe-free, open to propoſals from all quarters.— With regard to the Clergy, (in addition to the manifeſt hazard of not getting a fair Equivalent allotted) They muſt ſee that Tithes, tho' troubleſome,

 are

are a proviſion equal in ſucceſſion, becauſe it varies with the Expenſes of living; that the claim to them is founded in Common Law, ſupported and defined by many Statutes, and thoſe ſtatutes explained by many Solemn Deciſions.—This advantage of the clearneſs of Law is an equal convenience to all parties. And in any Commutation but for Land, it would require perhaps a century, to bring the new regulation to ſuch a degree of legal clearneſs and notoriety, as that of the preſent Tithe-laws.

SECTION VI.

Of the bad Effects of Innovation, on either Plan.

THAT man muſt be totally unread in Hiſtory, and have profited little by his own Experience, who is not apprized of the danger of removing *old landmarks*, thoſe eſpecially which are the boundaries of Conſtitutional rights. The faireſt proſpect of Improvement will not juſtify the riſk of Innovation in a ſyſtem, which in a Religious view, has no equal, and in a Political one, is eſſential to the preſervation of the beſt Conſtitution that ever was framed. But in the caſe before us, the reverſe of Improvement preſents itſelf, at the firſt glance; and the more you extend the view to diſtant effects, the wider field is diſplayed, of national confuſion, and ruin; ſuch as nothing but the

the neceſſity of alarming the publick could induce me to delineate.—In the outſet, this meaſure attacks a great variety of properties: That of the Clergyman, who is the Uſufructuary; That of the private patron, in the value of his right of perpetual Advowſon; That of Lay Impropriators; That of Cathedrals, for whoſe ſupport Tithes are appropriated: nay, in caſe of Commutation for Land, the only permanent and effectual one, it unſettles the entire Property of the Kingdom; and by the raſhneſs and violence of the meaſure, ſhakes to the root the ſtability of every poſſeſſion. It affects very conſiderably the patronage of the Crown; and as far as it diminiſhes that patronage, impairs the balance of the Conſtitution. It muſt reduce the Proteſtant Clergy, in point of education, rank, and influence; by ſhutting up many Churches, it muſt rapidly diminiſh the number of Clergymen; and at the ſame time, by raiſing in the like proportion the number and influence of the Romiſh Prieſts, muſt cauſe the Proteſtant intereſt to decline in a Ratio Compounded of both: Which increaſed by depreſſion of ſpirits on one ſide, and by animation of hope and foreign aſſiſtance on the other, muſt ſoon overturn the Proteſtant Aſcendency.

Our *Proteſtant Diſſenting brethren* in particular will do well to conſider, before it be too late, what will be the effect of the ultimate ſuperiority of Popery on their future ſituation. The ſhort-ſighted Farmer in Ulſter may perhaps be ſeduced by the preſent profit of lowering his Tithe; of which he does not diſcern the *effect*: The ſhort-ſighted Politician, who yet may ſee far enough to diſcern the *immediate* effect, may be gratified by the proſpect of realizing his favourite ſpeculation; that of overturning an eccleſiaſ-

tical eſtabliſhment. But as ſoon as that ſhall have been accompliſhed, the Fairy Viſion will vaniſh. For will this kingdom continue long without any National Church? It is a ſituation too wild and unexampled † to be ſuppoſed. Will it adopt the church of Calvin? Let the Preſbyterians review either Numbers or Property, and then judge whether that be a probable event. But even that would be *an eſtabliſhment;* and of courſe adverſe to their opinions; and demanding a national Maintenance, (the preſent point in queſtion), would be only a renewal of the preſent diſputes. They can have nothing then before them, but an option of the Aſcendency of either the church of Ireland, or the church of Rome. Of the former they have had a long trial; and under it have always experienced freedom of religion, and at preſent enjoy every Civil privilege, in common with the Members of the Eſtabliſhed church. Their ſituation cannot be improved; How much it may be changed *for the worſe*, under the Church of Rome, it behoves them to conſider with attention, and without delay; as the conduct of ſo numerous and reſpectable a Body may decide the event.

But whenever that fatal moment ſhall approach, Where can the Proteſtant of either church turn his eyes for ſupport, but to the Siſter-kingdom? And it behoves him to conſider well, what will be the operation of ſuch Innovations on the minds of our Engliſh Neighbours. The only natural permanent ties between independent Kingdoms, are

† The indifference of the late King of Pruſſia to religion, which led him to ſhew an equal apparent countenance to all Sects, gave occaſion to an opinion, which I have heard in converſation, that all Sects were on the ſame footing in his dominions. This was by no means the caſe. Of his German territories I have ſpoken before in note p. 38: but even in the Kingdom of Pruſſia, where he was under no cootrol, he was too politick to unſettle the Lutheran Eſtabliſhment.

are ſimilarity of Religion and Laws, and intercommunity of Property. For the influence of Conſanguinity wears out by the mere courſe of time; ſameneſs of Language does not prevent the different States of Germany, or of Italy, from wars againſt each other; and the Power of the common Sovereign may not always be ſtrong enough to hold together Free Nations, jealous of Commerce and the Royal favour, differing in eccleſiaſtical and legal Polity, and not cemented by the Property of individuals. The joint effect of all theſe ties was not ſufficient to prevent the ſeparation of America from England. The great Proprietors of land in both Iſlands may be conſidered as Binding-ſtones to prevent a Separation; which (ſhould it pleaſe the Almighty to viſit theſe Kingdoms in ſuch a manner!) muſt occaſion inſtant ruin to one, and ruin as inevitable, though a little more diſtant, to the other. Now will not ſo great a deviation from the Conſtitution of England, and ſo unneceſſary an Invaſion of property, leſſen the diſpoſition of Engliſhmen, either by way of purchaſe or loan, to veſt anew, or to continue, an intereſt in Iriſh lands? I appeal to the low price of Lands (in ſpite of the natural effect of Peace, and extenſion of Trade, and in oppoſition to the Riſe of the publick Funds, which in uſual courſe keep pace with the value of real Property) in proof of the effect of late Alterations: but thoſe alterations had great objects in view; extenſion of Commerce, and enlargement of Conſtitution. But for what object, in the preſent caſe, are ſuch tremendous evils to be riſked? Is it, that the Landlords may add to their Rents the Tithes, which neither they nor their Anceſtors purchaſed? Is it, that the Tenant may get rid of a burden, for which he has received a valuable conſideration;

conſideration? Is it to gratify a few enterprizing Geniuſes, who flatter themſelves that they are capable of forming a regulation, which the moſt able Stateſmen, that ever lived, have univerſally *deſpaired* of contriving; and for which no one was ever found *mad* enough to riſk a project, in a Conſtitution ſimilar to ours in Church and State. For ſurely it can never be ſuſpected, that there is an inability in the Executive Power to control Mobs, and execute the laws! Such a confeſſion would be a virtual Abdication of Government; and muſt encourage the Populace to make a further trial of their ſtrength, in ſubverting all Property: Of which intention they have given no *ſlight* intimations. The very Inſurrection, in order to procure an Alteration by force, is alone a ſufficient reaſon for refuſing it. If Government could ſtoop to the expedient of Submiſſion, What effect, even temporary, could it produce? Would the farmer, who took up arms in 1786, to ſhake off the payment of twenty Shillings for Tithe, be ſatisfied to pay the ſame number of Shillings, under the name of Commutation, in the Year 1787?

But it may be ſuggeſted, to obviate what is ſaid of the effect of this Innovation on the minds of Engliſhmen, that a like change will probably take place in England; as a Commutation is a favourite meaſure with ſome perſons of weight and importance in that kingdom. This indeed we ſee proclaimed in News-papers, with a degree of triumph very ill placed. For if that be the caſe, it is evident, that the Engliſh Adminiſtration and Legiſlature are too wiſe to countenance ſuch an innovation *there*. But were they to adopt it, and were it expedient *there*, even that example would be no authority for *this kingdom*; from the different

ferent ſituation of the two Churches. That of England is completely ſettled. That of Ireland is ſcarce half advanced to a ſettlement.—The Country in England is divided into pariſhes ſo ſmall, that every diſtrict is accommodated with a Church, and Houſe for a reſident Miniſter. The Country in Ireland is divided into pariſhes and Unions ſo extenſive, that it is *phyſically* impoſſible for the Clergyman to to perform his duty properly; and few of thoſe pariſhes are furniſhed with Glebes, and ſtill fewer with Houſes, a defect which an impoveriſhed Clergy can never ſupply.—The higher ranks of the Clergy in England are ſupported by the Lands belonging to ancient Chapters, or other religious eſtabliſhments. The eccleſiaſtical Dignities in Ireland depend on Tithes.—In England, the legal rights of the Clergy, including Tithe of thoſe articles which conſtitute the food of the pooreſt claſs, are not withheld by Mobs, by Aſſociations againſt Law, by arbitrary Reſolutions of one Houſe of Parliament; In many parts of Ireland, particular kinds of tithes are already given up by the Clergy to the violence of the Populace, to illegal Combinations, to a want of confidence in the Oaths of * Jurymen, and to the dread of diſpleaſing the Houſe of

* The reader will judge of the reaſonableneſs of ſuch want of confidence, by the following fact, which happened near forty years ago. The Miniſter of the pariſh of Donogh, in the Dioceſs of Clogher, ſued in the Spiritual Court for the Tithe of Hay ſubtracted: a modus was pleaded, and a prohibition granted. The trial came by Record to the aſſizes of Monaghan. The Clergyman proved, by the Oaths of Oliver Ankettle, Eſq; a Member of Parliament, aged 74, and Robert Maxwell, Eſq; in his 80th year, each of whom had a large quantity of Hay in the pariſh, that they had uniformly paid Tithes of Hay in kind, and that the ſame had been paid uniformly in the pariſh during their memory. Their teſtimony was corroborated by the evidence of a Mr. Soden (who had been tithe-farmer of that pariſh above forty years before the trial) that he had conſtantly agreed for the Tithe of Hay, as for the Tithe of Grain. This evidence was further ſupported by

of Commons: In many parts of Ulſter, Potatoes, the Food of the poor, are totally exempted (as above) from paying Tithes; and Flax, the material of their induſtry, is ſubject (very wiſely and equitably to be ſure!) to the payment of ſix-pence only, let the quantity be *great or ſmall.* The landed Gentlemen grudge not to the Clergy the entire priviledge of contributing to the relief, or employment of the Poor. But ſtill they do not forget entirely, that the Clergy could ſpare ſomewhat even to *them*, for with the ſame Diſtributive Juſtice they fixed a rate (which they are pleaſed to ſtile a *Modus*) of 6*d.* for any quantity of Hay, *great or ſmall*: By this happy expedient completing that admirable plan for the Depopulation of the Kingdom, begun ſo hopefully by their Repreſentatives in the vote on Agiſtment. —In England, Tithe in kind is given without murmuring; for in England, Property is conſidered as a thing ſacred: and the landed Gentleman does not look with indifference on forcible invaſions of it, though he allows his Tenant a comfortable maintenance; In Ireland, the Clergyman is reviled, even in the great Councils of the Nation, as an Extortioner, for aſking half the value of his Tithe; and repreſented as an Oppreſſor of the Poor, becauſe

by the teſtimony of other Credible witneſſes.—The witneſſes, adduced on the other ſide, were *vagrant beggars who had no ſettled habitation*; who ſwore, that they knew nothing paid, but 6d. Hay and 6d. Flax. One of theſe witneſſes, affecting deafneſs, made no anſwer to any queſtion put to him by the Bench or the Council, but theſe words *ſixpence Hay and ſixpence Flax.* Yet their teſtimony was admitted, and a Verdict found againſt the Clergyman. Lord Chief Juſtice Singleton, before whom the Cauſe was tried, was ſo aſtoniſhed at the Verdict, that he repeatedly recommended to the Jury to reconſider it, which they refuſed. But he was ſo ſenſible of the infamy of it, that he refuſed to certify it to the Court, from whence the Record iſſued. Another judge afterwards, on a ſecond trial with the ſame evidence, certified the Verdict. The neighbouring Clergy, intimidated by this deciſion, gave up the Tithe of Flax as well as Hay, notwithſtanding the Tithe of Flax was not in queſtion.

becauſe he does not contribute more than half his tenth, to help the cottager to pay an exorbitant Rent for the other nine parts; no credit being allowed to him, for giving up his Tithe of all the Graſs-lands, and ſeveral other articles, from love of peace, *not from ignorance of the legality of the demand.*—The Aſcendency of the Eſtabliſhed church, and the Proteſtant intereſt, is *ſecure* in England. Though there are Diſſenters of many various denominations, yet their united number is trifling, compared to that of the members of the Eſtabliſhed Church; and they are almoſt all *Proteſtants*. In Ireland, the Proteſtants are not one-fourth of the people; the members of the Eſtabliſhment, little more than an eighth. The landed Gentleman in England has no reaſon to apprehend the growth of Popery; nor, ſhould it prevail, has he the *ſame* motives to dread it, as the landed Gentleman in this Kingdom.—Let then the trial, if ſuch an attempt is to be riſked any where, be made in the Siſter-kingdom; this country ſurely is not a proper ſcene for hazardous *experiments* on the Proteſtant intereſt. by checking the progreſs of the National Church. And yet I hope I may venture to propheſy, that little in compariſon as England has to fear, her wiſdom will prevent her from ſetting ſo dangerous an example; and that her Miniſters are too wiſe, not to diſcourage ſuch Innovations, as muſt ruin in *the Siſter-Country* that Proteſtant intereſt, of which ſhe is the Protectreſs, even in the remoteſt nations in Europe.

The laſt, and perhaps not the leaſt injurious, conſequence of a diminution of the Revenues of the Parochial Clergy, would be it's operation on the great Seminary of learning, from which this

Kingdom

Kingdom derives ſo much credit and advantage. No eccleſiaſtical Benefice would hereafter tempt any of the *ſenior* Members of the College to retire; and the ſucceſſion in conſequence of their Reſignation would be entirely ſtopped. † Thus the *greateſt* inducement, becauſe the only certain recompenſe, to literary efforts in this Kingdom, would be almoſt entirely withdrawn; and the number of learned men very conſiderably diminiſhed. The Pupils themſelves, three fourths of whom are deſtined for the Church, will become not only fewer; but being of an inferior ſtation, would be leſs qualified from their School-Education to profit by the inſtruction of the Tutor, of leſs ability to recompenſe him for it, and by their poverty diſabled to furniſh themſelves with the Books requiſite for any conſiderable acquirements in learning. On the whole, this Seminary, founded for the ſupport of the Proteſtant Religion, will ſhare it's decline and ruin. And as the entire province of Education is in the hands of the Clergy, any meaſure, which tends to diminiſh the learning of the Members of that Body, muſt in the ſame degree diminiſh the Literature of the whole Kingdom: A loſs, which would be poorly recompenſed by enabling the landed Gentleman to uſurp the property of the Clergy, at the obvious riſk of the whole of his juſt poſſeſſions, either by a change of Government or univerſal anarchy!

† The proportion of Fellowſhips vacated by Reſignation to thoſe vacated by Death, is found to be as 10 to 1: And therefore the ſucceſſion on the whole would be nearly ſtopped; as few Livings, after a conſiderable reduction of Tithes, would be an object even to a *Junior* Fellow.

SECTION

SECTION VII.

On the means of remedying the Defects in the Settlement of the Church of Ireland.

WHEN I ſtated, in a former Section, the Impediments, which obſtruct the National Clergy in the diſcharge of their duty, I mentioned three principal ones, want of Churches; want of Glebes, and want of the univerſal uſe of the Engliſh Tongue. But as a mere knowledge of Grievances is of little avail, unleſs their Remedies can be likewiſe diſcovered; I ſhall, with the greateſt deference, ſubmit to the Publick judgment, ſuch as have occurred to me, on a very mature conſideration; hoping that their very Defects may be of ſome uſe, by inducing perſons of greater penetration, and more extenſive knowledge of the ſubject, to exert their abilities in ſupplying them.

From the Poverty of the bulk of the people, the firſt Impediment can be removed only by the Bounty of Parliament. But if in addition to the Grant of a ſpecifick Sum for the erection of *Churches* in *poor* Pariſhes, (that is, in Pariſhes where the Proprietors, as well as the Occupiers of the Lands, are not in Circumſtances to contribute) there were likewiſe a vote of Credit, for a further indefinite

indefinite Sum to be applied to the ſame purpoſe, in aid of Contributions, in ſuch proportion as ſhall be thought proper; ſuch a legal arrangement, becoming a matter of publick notoriety, might induce landed Gentlemen of large property, as well Abſentees as Reſident, to further this great object of Policy and Religion. It is no bad earneſt of the probable effect of ſuch a meaſure, that more than †70 Churches have been built, [The whole number of grants of money for Churches amounts to 95] within the ſpace of 20 Years, by the limited fund of the Board of Firſt-fruits; though the degree of encouragement, given by them to contributors, is by no means ſo univerſally known, as the regulations of a Publick Law. Beſides that ſuch a Sanction of the Legiſlature, to this, as a great National object, would of courſe draw attention from thoſe, who are ſo deeply intereſted by their Property in the national Welfare. And the alarm, occaſioned in *every thinking man* by the preſent Diſturbances, would naturally increaſe that attention.

In reſpect to *Glebes*, it were to be wiſhed, that a further Parliamentary Bounty might be extended to Pariſhes under £60 ℔ ann. on which Clergymen could not be expected to procure a Glebe, and to build, without ſome aid. If the ſame vote of Credit were likewiſe to include a Grant to the Incumbent of a Pariſh in that deſcription, of the Sum of £200, which would purchaſe ten Acres of good Land, or a proportionably greater number of inferiour quality, (provided he engaged and gave ſufficient Security, within the ſpace of two Years to erect a Glebe-houſe thereon) ſuch an Encouragement

† It is evident, that this addition to the number of Churches muſt have increaſed the number of Clergymen; and of courſe diminiſhed their average income.

Encouragement would multiply conſiderably the Number of Clergymen reſident on the ſmaller Benefices.—For the procurement of Glebes on Livings above that value, which could not reaſonably expect Parliamentary Augmentation, the following meaſure is ſubmitted; That a Law be enacted, empowering the Incumbent to exchange a portion of his Tithes for a quantity of Land not leſs than ten, or exceeding twenty Acres, with the conſent of the Patron and the Biſhop; ſuch Incumbent likewiſe engaging, as above, within two Years after the completion of ſuch exchange, to erect thereon a Manſe. The reaſonableneſs of obliging the Clergy, poſſeſſed of competent Benefices, to provide places of Reſidence, where it is practicable, and the impoſſibility of procuring Glebes, without a power of purchaſing them with ſome part of their preſent income, obliges me to reſort to this expedient. At the firſt glance, it may ſeem to claſh with the opinion which I have delivered in a former Section, with regard to the general Commutation of Tithe for Land; but on a nearer view will, I flatter myſelf, be found not inconſiſtent with it: the Exchange, in the caſe propoſed, being purely voluntary, and of ſmall extent; and the Land in queſtion, to remain in the conſtant occupation of the Incumbent, who muſt improve it for the accommodation of his own family.

The third Impediment mentioned, is the want of an univerſal uſe of the *Engliſh* Tongue. This is a matter of infinite moment; and in every point of view extremely to be regretted. The difference of Language is a bar of Separation between the Deſcendants of the Iriſh and Engliſh, which too much pains cannot be employed to remove. It obſtructs

obſtructs Religion; it embaraſſes Civil intercourſe; it prevents cordial Union. The removal of it has accordingly engaged the attention of the Legiſlature, from the Æra of the Reformation to the preſent. But in this, as in many other inſtances, ſufficient care has not been taken to change the regulations of Law, in conformity to the alteration of Circumſtances; and the Act of the 28th of Henry 8th, which the ſubſequent Acts are intended to enforce, is in many Pariſhes of the Kingdom, and in thoſe too where it is moſt wanted, totally impracticable. But I ſhall not enlarge on this ſubject, as it will probably be under the conſideration of Parliament in the enſuing Seſſion, (in conſequence of the Reſolutions of the Houſe of Commons, with regard to Pariſh-Schools,) at which time ſuch Amendments to the Act of Hen: 8. will be propoſed, as were intended to have been brought forward by the Author in a ſeparate Bill.

SECTION VIII.

On the Injury ſuſtained by the Parochial Clergy in their Property; and the Means of reinſtating them in their legal Rights.

AS theſe papers may fall into the hands of Readers, the Diſtance of whoſe ſituation has prevented them from knowing, with what a degree of Cunning, as well as Outrage, the late Inſurgents have proceeded; it will be neceſſary to ſtate ſome leading Facts, by which they may be enabled to judge,

judge, in what manner, and to what extent, the legal Proviſion for the Clergy has been wreſted from them; and whether it may by any, and what regulations of Law, be effectually reſtored. And ſuch a Statement is the more neceſſary, as many of the moſt alarming inſtances of Outrage have not been noticed by the Publick Prints. Thoſe Publications have been employed to vilify and malign the Clergy, by repreſenting them as the Cauſes of the whole miſchief, and to extenuate and apologize for the exceſſes of the Inſurgents, as if excited by Oppreſſion from Tithes, rather than to call the attention of Fellow-citizens to protect a peaceable and helpleſs Claſs of men, deſpoiled by violence of their legal Rights, to rouſe the Proteſtants to a juſt Indignation at the cruelty and indignities, with which many, and in that number, ſome of the moſt eminent and exemplary of their Paſtors, were perſecuted and driven from their Pariſhes by a Popiſh Mob; and to warn them of the natural conſequences of permitting the Populace to feel the ſtrength of Numbers againſt Law. To form a juſt idea of the danger to the Publick, as well as the Clergy, from this Inſurrection, it is neceſſary to point out the Difference between the preſent and former Diſturbances on the ſcore of Tithes.

The Oakboys in the North, in the Year 1763, were for a ſhort time almoſt as violent, and overran ſeveral Counties like a Torrent; but a ſevere check or two from the Army diſperſed, and a few Capital puniſhments effectually quelled them. The Popular fury, not being ſtirred or afterwards kept up by deſigning men, had no Root, and ſoon died away. But the Preſent proceeding is not a Paroxyſm of frenzy, originating with

with ignorant and raſh Peaſants; but a dark and deep ſcheme, planned by men ſkilled in Law, and the artifices by which it may be evaded. Theſe enemies to the Publick Peace, and the Proteſtant Clergy (though nominal Proteſtants) ſuggeſted to the Farmers, to enter into a Combination under the ſanction of an Oath, not to take their Tithes, or to aſſiſt any Clergyman in drawing them. And a form of Summons to the Clergyman to draw, penned with legal accuracy, was printed at Cork, at the expenſe of a Gentleman of rank and fortune; and many thouſand Copies of it circulated with diligence through the adjacent Counties of Limerick, Kerry, and Tipperary. In order to render theſe Oaths univerſal, the Whiteboys, ſometimes in numerous bodies, ſometimes by Delegates from ſuch bodies, tendered the Oath above mentioned (without any further threat, than that of taking a Liſt of thoſe, who did not ſwear) at the Romiſh Chapels, and Market-towns. At the ſame time, to avoid the appearance of intending to rob the Clergy of their whole Maintenance, they publiſhed, and the News-papers copied a Tithing-table; which however was never generally adopted by them, or adhered to by thoſe who profeſſed to adopt it. The rates propoſed by their ſeveral parties varied in different Pariſhes, and in the ſame Pariſh at different times, diminiſhing as the terror of their numbers increaſed. In ſome Pariſhes, they were followed by a Reſolution, to admit no Compoſition for Tithe. It is worth remarking, as an evidence that the *Poor* were not the Authors of this diſturbance, and that *their* relief was not the *real* object of it's promoters, that the Whiteboys did not aim to render *Potatoes* Tithe-free; but from the beginning inſiſted on annihilating the payment

payment of Tithe for *Hay*. But the moſt liberal Tithing-table, held forth by any one of their parties, would have reduced the income of the Clergy to ſuch a level, as muſt have ſhut up a large proportion of the Churches in every part of the kingdom: In Connaught, would have left few remaining.

This Combination, as the contrivers of it well knew, was as effectual to deprive the Clergyman of almoſt his whole income, as *forcible* oppoſition; and had Tithes been their *only object*, they had no motive to proceed further. But this did not content them. *They took the Arms out of the hands of Proteſtants, whom they could not ſuſpect of employing them in defence of Tithes.* They levied Ammunition; and money, for the expreſs purpoſe of purchaſing Ammunition, as well as providing for their ſupport; (though their earneſtneſs to arm themſelves cannot be accounted for by any *preſent* neceſſity of ſecuring themſelves, or any efforts *hitherto* made by them to oppoſe his Majeſty's Troops). They proceeded to greater acts of violence: to force individuals who had taken Tithe, to ſwear to break through their agreement; to menace and ill-treat perſons who ſerved Proceſſes, or ſhould appear at the Aſſizes to prove Contracts, for Tithes; to commit ſavage acts of cruelty on the *Servants* of the Clergy; † at laſt to attack *their perſons*; to force them to ſwear to give up their property; and even to demand a ſurrender of old Tithe-notes, to prepare Graves for them; and to threaten ſome with Tortures and Death. They intimidated Veſtries from levying

† They threatened to burn a part of the Town of Charleville, becauſe it was the property of the Rector.

money for the Repair of Churches,* for the payment of the legal ſalary of the Officers attending the Church, or the purchaſe of Elements for the Holy Communion; nailed up one Church; bound themſelves by Oath to burn another. They broke open Gaols; ſet fire to Hay and Corn; and even to Houſes, eſpecially thoſe occupied by the Army; and at laſt had the audacity to threaten the Cities of Limerick and Cork, and the Town of Ennis, the Capital of Clare, with Famine; and to take meaſures for interrupting a ſupply of Proviſions, by publick menaces to fiſhermen and farmers. They threatened to burn the Town of Newmarket in the Dioceſs of Cloyne, unleſs a Whiteboy confined there was releaſed.—But the circumſtance which appears to me moſt alarming (as it is the ſtrongeſt evidence of Syſtem) is their having eſtabliſhed a kind of Poſt-Office for communication, by which probably they are enabled to convene ſuch publick Meetings, as their own Notices prove they actually hold.—In addition to theſe publick outrages, the ſilent miſchief occaſioned by them is of an extent that can ſcarcely be calculated; but I think I may venture to affirm, on the ſtrength of my own Obſervation during the whole Summer, and on a very extenſive Correſpondence, I may ſay, through the whole County of Cork * (the Dioceſſes of Cork and Roſs having been put under my care in ſome degree, by their worthy Biſhop, during his Abſence for the recovery of his health) that ſo general a terror of violence from the common people

* Since the firſt Edition of this Pamphlet, the Author has received an official account from a Pariſh in his Dioceſs, that the Inhabitants had refuſed payment of a Church-rate, and reſcued the goods Diſtrained for the ſame by the Pariſh Officer.

* The County of Cork contains more than two-fifths of the Inhabitants of Munſter, and more than a tenth part of the Inhabitants of a whole Kingdom.

people prevails, that few perſons, if any, think it prudent to diſtrain for Rent,§ or to proceſs for Debt. A like Report has been made to me by Gentlemen of the County of Kerry; and I have ſeen a Letter from a Magiſtrate in the County of Clare, which in addition to theſe Inſtances of the uncertainty of property, adds, that in his neighbourhood he thinks that the populace would not permit treſpaſſing Cattle to be led to the Pound. —— Into this ſtate of ſavage Anarchy† they have reduced the Province of Munſter, and continue their nightly expeditions for their grand object, that of diſarming the Proteſtants, and arming themſelves, not only in that Province, but in that of Leinſter, within 50 miles of the Capital. What were the motives, let the meaſures declare; What will be the effect on the Proteſtant Religion and Intereſt, and of courſe on the connexion of this kingdom with Great-Britain, unleſs the Legiſlature ſhall take a firm decided part, is too evident.

Now if the Whiteboys were to be conſidered as a mere riotous Mob, the experience of the

§ One Gentleman made the attempt, but I have good information that a Notice was fixed up in the adjoining Town, forbidding any perſon to buy the goods; and the Agent was under a neceſſity of procuring a party of Soldiers to guard the Corn diſtrained.

† The term *Anarchy* was never more ſtrictly applicable to the the ſtate of any Country; for the populace have not only loſt all fear of the Magiſtrate, but have likewiſe ſhaken off that reſtraint, which might be expected to take place from the remonſtrances of the Clergy of both perſuaſions. The anthors of theſe diſturbances by pointing out to the miſguided mob, the Secular Roman Catholick Prieſts, as extortioners in common with the Eſtabliſhed Clergy, have entirely done away that influence, which on other occaſions, has been found *uſeful* in the prevention of outrages—It is but juſtice to bear that teſtimony to a *neceſſary* order of Eccleſiaſticks; ſome of whom I have found to be men of worth, and ready to co-operate in any meaſure for the promotion of Charity and publick order. It muſt be obvious that the practice of extorting, and taking Oaths to infringe property and violate the laws, tends either to overturn Civil Society by the obſervation of them, or to diſſolve the cement of it, by taking away all ſenſe of the obligation of an Oath.

Oakboy Inſurrection proves, that the effects of their proceedings would be only temporary: The Laws now in being might be ſufficient. The Northern Clergy found themſelves in the complete enjoyment of the Tithes, uſually paid in their ſeveral pariſhes, in the following year; and have remained ſo to this day. But the more dangerous ſcheme of ſilent combination will certainly require the interference of Parliament. This, being a ſpecies of attack on the legal rights of one claſs of the Subjects of this realm, hitherto unprecedented, conſtitutes a new Grievance; for which it cannot be doubted, that the juſtice of the Legiſlature will provide a ſuitable Remedy. What Regulation is fitteſt to be adopted for that purpoſe, I ſhall not have the preſumption to ſuggeſt. That is the province of perſons of profound knowledge and experience in the Law. But that ſome expedient may be deviſed to check ſuch Combinations, is not to be doubted. Nor is the Principle, on which the Regulation ſhould be made, difficult to diſcover. The Legiſlature have frequently interfered to protect Individuals from the perſecution of Numbers, and no caſe of Combination ever came before them, ſo highly deſerving of their attention: None, in which the injuries were ſo unprovoked, the inſolence ſo daring, the outrages ſo extenſive and of ſo long continuance, the ſyſtem ſo deep and full of publick danger of every kind, and the principal ſufferers, I will not content myſelf with ſaying more inoffenſive, but more reſpectable for their private characters, as well as venerable for their function. The Clergy, having no further wiſh than to be replaced in the ſituation, in which they ſtood before this new plan was deviſed to ſtrip them of their legal rights, think they are entitled,

tled, as one claſs of his Majeſty's Subjects, to look up to the Legiſlature for that Protection, which they are conſcious they have never forfeited, either by want of Moderation in claiming their due, by a Factious conduct, or by the neglect of the Duties of their office.

POSTSCRIPT.

SINCE this Pamphlet was ſent to the Preſs, *a Letter addreſſed to the Publick on the Subject of Tithes*, intended as an anſwer to Theophilus, has appeared in print. As far as this Publication attacks the Reaſoning of that able writer, I ſhould deem it Preſumption in me to come forward in his defence. But as his Antagoniſt controverts ſome Facts, which it is in my power to ſupport with unqueſtionable Authorities; I am called on by common juſtice to produce my teſtimony: the vouchers of which are not vague reports, but Original documents, or Copies of ſuch Documents ready to be atteſted on Oath, or Affidavits of moſt reſpectable men.

The Letter-writer ſays (p. 8.) " I believe there " are but *two* inſtances of any *perſonal attack* on " Clergymen. The one indeed was treated in a " very inhuman and ſavage manner, without

" the

" the leaſt cauſe that I have heard; but the other " made himſelf obnoxious, by officiating otherwiſe " than as a Clergyman; ſo that, on the whole, I " ſee no reaſon for the alarm given by Theophilus, " where he inſinuates, that the Clergy labour " under the continual apprehenſion of being put " to the cruelleſt tortures, or maſſacred by a ſavage " Banditti in the Day, or burned in their Beds " at Night by nocturnal incendiaries."* I hope it will not be thought a deviation from that Civility, to which this writer is ſo juſtly entitled by his own Moderation, to ſay, that he ſeems not to have taken the means of procuring that " accurate " information," for the *ſuppoſed* want of which he reproaches Theophilus.

I take it for granted, from his profeſſed candour, that he muſt conſider a Threat to take away a man's Life or burn his Houſe, if he does not give up his Property, as (virtually) a perſonal attack—If ſo, my Dioceſs alone would have furniſhed him with numerous inſtances of perſonal attacks on Clergymen. One (a Dignitary in my Cathedral) was forced to come out of his houſe at midnight, by a band of 150 Ruffians, to ſwear that he would give up his legal rights; a Gun being pointed cloſe to his head whilſt the Oath was tendered, and a Horſe produced with a Saddle full of Spikes, on which he was

* By his deſcription of the caſes, I conceive he alludes to two Clergymen in the Dioceſs of Caſhel: one of whom was taken out of his bed, carried away naked, and treated as he deſcribes; but if in the ſecond he alludes to a Clergyman, who in conſequence of his acting as a Magiſtrate, was attempted to be aſſaſſinated, the Letter-writer has not been fully informed of *his* caſe; for the ſame gentleman had been before violently aſſaulted by the Whiteboys, had ſome of his ribs broken, was obliged to take refuge in his church (where he was confined a whole night) at a time when he was acting as a Pariſh-miniſter in the management of his Tithe, in the very manner preſcribed by the Whiteboys; that is, without the aſſiſtance of a Proctor.

was to be mounted, if he refuſed to ſwear; A ſecond was menaced (with dreadful imprecations) that he ſhould meet a *moſt horrible reception*, if he did not obey their Laws more punctually, though he by a publick Notice had declared Submiſſion: A Third (with like imprecations) that he ſhould be treated *inhumanly* and *barbarouſly*: A Fourth, that he ſhould be ſeverely puniſhed, if he *dared* to officiate: A Fifth, if he did not diſcontinue a ſuit at law: and a Sixth, that his houſe ſhould be burnt: A Seventh had his houſe (in the Town of Mallow) broken open at midnight, and his bed-chamber entered by a number of armed men, who forced him to give up his horſes for their uſe: An Eighth narrowly eſcaped a viſit from 300 men, having juſt before their arrival quitted the houſe, where he uſually reſided: A Ninth had his houſe ſurrounded in the dead of night by a hundred men for ſeveral hours, who endeavoured to force his gates; the terror nearly occaſioned the death of his Daughter, who was brought-to-bed the night before, [a fact which the aſſailants, who were his near neighbours, muſt have known] and by his anxiety for her, impaired the health of the Father. Tho' he ſent word to the inſurgents, that he would give up the whole of his Tithes, rather than endanger the life of his Child, they did not forbear their viſits; but repeated them, with the addition of ſhocking cruelty to a poor Labourer employed by him, whom they took naked out of his bed, brought to the gate of this Clergyman, and whipped ſeverely there; requiring him at every ſtroke to cry out to his Maſter; though they knew the cries would be heard by his Daughter, who was ſtill confined to her bed: A Tenth received a written meſſage from the Whiteboys, declaring with their uſual imprecations, that if he intended *ſuch villainy*, as

to

to ſet Tithe at the old rates, *they had prepared a pitched ſhirt for him, in which they would ſet him on fire*: The Eleventh (a Gentleman ſtill more reſpectable for his character, than his *very advanced* age) after 44 years reſidence in his pariſh, where he had been a conſtant Benefactor to the Poor, received repeated meſſages, that his barn (a thatched building contiguous to his houſe) ſhould be burnt, and he taken out of his bed: and the ſpectacle was exhibited, which would have diſgraced the moſt uncivilized Country, of the dwelling of a man ſo venerable, protected for a length of time by a military guard.† A band of 300 Whiteboys advanced within a mile of his houſe, on the firſt night appointed for the attack of it; but turned back, on hearing that it was guarded by ſoldiers. This outrage happened within thirteen miles of Cork, on the very day that Lord Luttrel left that City, on his progreſs to Kerry.

In the Dioceſſes of Cork and Roſs, two Clergymen, reſident on their reſpective Glebes, were attacked by numerous bodies of Whiteboys, and compelled to ſwear, that they would conform to their rules. Two others were obliged to retain Military Guards for a conſiderable length of time in their houſes; one of whom had five of his horſes cropped, from ſpite that his Houſe was ſecure. The houſes of both thoſe gentlemen were viſited by the inſurgents. A fifth may be ſaid to have narrowly eſcaped a perſonal attack; for another gentleman, who was miſtaken for him, was knocked off his Horſe, and very ſeverely beaten;

† As a proof, that theſe dangers to the Clergy ſtill continue, this Gentleman is at this day (December 19th) and has been for a fortnight paſt, obliged a ſecond time to procure a Serjeant's Guard for his protection.

beaten; and but for a timely diſcovery of the miſtake, by the aſſailants' mentioning the name of the Clergyman, would probably have been killed. Many of the Clergy of thoſe Dioceſſes received threatening meſſages and letters: In conſequence of which menaces, two of them took refuge in Cork. * A Clergyman, now reſident in Cork, a fortnight ſince received a Whiteboy meſſage, that his ears ſhould be cropped, and his tongue cut out of his mouth.—On the whole, all the Clergy in the extenſive County of Cork (of whom only I ſpeak with the ſupport of Authentic proofs) whoſe places of reſidence were in the Country, were under continual alarm, and obliged to arm themſelves in the beſt manner they could; and had they not yielded to the violence of the inſurgents, I am perſuaded, would have been perſonally ill treated: perhaps buried in thoſe Graves, which were in many places dug (profeſſedly) for their reception—After this detail, let the reader judge, who of the two has the moſt "accurate information" of Facts; the author of the Addreſs, whoſe zeal for the preſervation of the Proteſtant Religion is entitled to the warmeſt gratitude from every friend of it, whether Lay or Clerical; or the Gentleman who impeaches him for the want of Information.

The Letter-writer reproaches *Theophilus* ſeverely (and I know not by what right, certainly not from the rules of † *Equity or Moderation*, gives at leaſt as large a ſhare of reproach to the *Eccleſiaſtical Courts*, which he ſtiles, with an oblique ſneer hardly worthy

* Of this laſt fact I have no other voucher, than a printed paper tranſmitted to me by a dignified Clergyman in the Dioceſs of Cork; but I am convinced of the truth of it.

† See Appendix I.

worthy of himſelf, the COURT-*Chriſtian*) for calling theſe lawleſs People, a "Popiſh Banditti, "ſpirited up by agitating Friars and Romiſh "Miſſionaries, ſent hither on purpoſe to ſow Se-"dition." His Terms, as well as Reaſoning, I ſhall leave to *Theophilus* to defend; (obſerving only, that a ſtrong conviction of the truth, and apprehenſions for the ſafety, of *Religion*, will naturally excite a Warmth, from which Indifference is a ſure exemption) and I leave it likewiſe to him, to make good the aſſertion, that agitating Friars and Romiſh Miſſionaries have been *ſent hither for the purpoſe of ſowing ſedition.* But I cannot help thinking the Letter-writer goes far, in *aſſerting* that *no ſuch Friars or Miſſionaries have been found* in this Country; that is, that neither Theophilus, or any other perſon, has diſcovered any ſuch. It is nearly impoſſible for any man to prove ſuch a Negative propoſition to *his own* ſatisfaction; and I am ſure ſo *bold* an aſſertion will have little authority with *any other* man. But though I do not know on what Authority Theophilus ſpeaks, I can very well conceive, that he may think the letters of Mr. O'Leary *calculated* to ſow ſedition. I do not ſay, that the reverend author *intends*, much leſs that he is ſent *hither on purpoſe*, but in my poor opinion (which has however the ſanction of every rational man, with whom I have converſed on the ſubject) his publications tend (and if ſuch *were* his deſign, are *moſt artfully contrived*) to produce that effect. Let the Letter-writer and the Publick judge from his general Poſitions; I ſhall give them in his own words. Addreſſing himſelf to the Inſurgents, whom he conceives to be of his own Religious Perſuaſion, at that time aſſembled in numerous armed bodies, for the avowed purpoſe of robbing the Eſtabliſhed Clergy of their rights,

he

he ſays, " You will tell me, your Grievances are " the cauſe: I doubt it not, my Brethren——I " know you are oppreſſed and impoveriſhed more " than any ſet of the lower claſſes of people upon " earth."——" Your Proteſtant fellow-ſubjects, " *leſs oppreſſed than you are*, have ſought a better " ſituation in remote Countries."——" Far be it " from me, to oppoſe the Redreſs of your Grie- " vances."——" Theſe diſturbances originate in " the dues of the Clergy—I would rather pay " my Tithes, let them be ever ſo oppreſſive, " than put my neck in the Halter, by violating the " Laws of the Realm, let them be ever ſo ſevere:" alluding to the *Whiteboy Act*, which he thinks it expedient to *tell* the *Whiteboys* will be in Force *till next June;* and he quotes the Authority of Young (in his Tour thro' Ireland) that " the Clauſes of it " are better calculated for the Meridian of Barbary, " than for a Chriſtian country." He calls *a notice* poſted on the Chapels, cautioning the people, not to pay more than certain rates *(not a fourth part of the real value)* for Tithes " a new " Plan, which however *moderate*, and though " certainly founded on your Poverty on one " hand, and the Oppreſſive manner of collecting " Tithes on the other, is yet improper." He ſubjoins to his quotation from Young, " The " ſeverer theſe Clauſes are, the more you ſhould " be on your Guard. Conſider the danger to " which you are expoſed from the Logick and " Eloquence of Crown-Lawyers, the Perjuries of " Witneſſes, and the Prejudices of Juries. I am " informed that the one, who is to ſwear againſt " ſome of you, who are in Gaol, is one of the " greateſt Villains in the kingdom, and eſcaped the " Gallows ſome years ago." After his having pointed out ſo ſtrongly and eloquently to the

Inſurgents

Inſurgents the extent of their grievances, and expreſſed his Sympathy with their diſtreſs and *unexampled* miſery, which he imputes *ſolely* to the perſons employed by the Eſtabliſhed Clergy, for he mentions *no other cauſe;* After expatiating on the ſeverity of the Laws, *as not being fit for a Chriſtian country,* and warning them that they could not expect a *fair* Execution, even of thoſe *Cruel* ordinances, from the Law-officers of the Crown, the Witneſſes, or Jury; I think one may ſay with juſtice of *his Addreſs to the common people of Ireland, particularly to ſuch of them as are called Whiteboys,* (printed in Dublin in 1786, and reviſed and corrected by *himſelf,*) that it is calculated to raiſe diſcontent and indignation in the Roman Catholick Peaſantry, againſt the National Clergy, the Legiſlature, the Executive power, and their Proteſtant fellow-ſubjects *. He recommends to them however, to conſider that "the "way of the Croſs, is the road to the Crown," to prevail on their Landlords, "whoſe intereſt "it is, not to have a wretched and beggarly "Tenantry," to preſent their memorial "of "their Grievances *(which of courſe could not relate "to Rents,)* to their friends in Parliament, who "will liſten to the Grievances of the Subject."

In his third Letter to the Whiteboys, particularly thoſe of the County of Cork, written after the inſurgents had proceeded to regulate Wages and Hearth-money, to control Magiſtrates, and to deprive Landlords of their Rents, he repreſents the Harm, that would ariſe to them from *ſuch* proceedings;

* It is not entirely ſuperfluous to obſerve, how much ſuch an impeachment of the character of a Witneſs, by a Man out of Court, and not ſworn, was calculated to give an unfair prejudice to the Juries, in Favour of the Whiteboys, who were then in Gaol.

proceedings; and ſays, "As to your cauſes of "Complaint from Proctors and Tithe-farmers, "inſtead of waiting for the Relief, which the "Wiſdom and *Humanity* of the Parliament may "in time and place ſuggeſt, you have" &c. "Could you be ſo devoid of common ſenſe, as to "imagine that ſuch a conduct was the beſt "method of deſerving the attention and *compaſſion* "of your Rulers?" To take off however the unfavourable impreſſion, which Government might receive from theſe Outrages, *and to ſhew his good opinion of the original Whiteboys, who attack Tithes*, he ſuggeſts an idea very ſingular indeed. "If "this Meſſage (ſays he) be really an act of your "meeting, ſome artful Incendiary, capable of work-"ing upon your Intellects ſtupified by watching and "intoxication, has crept in among you, EITHER "TO CAUSE SOME CONFUSION IN THE "STATE, from Motives beſt known, if not to "himſelf, certainly to his Employer; or from an "expectation of obtaining a Reward for ſwearing "away your Lives at the next Aſſizes."——"It "is moſt likely, that ſome one, who would not "much ſcruple to tell a Lie at the expenſe of your "Lives, has written the Letter, or poſted up the "Notice." Of what Claſs of men, *or of what Perſuaſion*, this ſuppoſed Miſcreant could be, ſo much worſe than men "who had ſerved a "Twelve-months' Apprenticeſhip to Licentiouſ-"neſs," he leaves the Reader to conjecture. He ſays that a Great perſon "is in poſſeſſion of "whatever is to be laid before the Senate, who "will liſten to the complaints of the Subjects, "—and whoſe Deciſion you ſhould wait for with "the Submiſſion becoming Subjects:—therefore "throw yourſelves on the Mercy of your Rulers; "and do not force them to forget, in the magni-

"tude

" tude of your Offences, whatever may be the " cauſe of your Complaints."

As he has by this laſt Letter raiſed ſo high their expectations of a publick Redreſs of thoſe Grievances, which he had painted in ſuch lively colours in the former, let him ſuppoſe this matter agitated, as he wiſhes, in both Houſes of Parliament. If on a fair and full diſcuſſion of the ſtate of Munſter, the determination of the Legiſlature ſhould be, to ſupport the Eſtabliſhed Church, as part of the Conſtitution; and to continue to the Clergy the ſame power of employing ſuch Stewards, Agents, or Proctors (for the terms are ſynonimous) in the management of their property, as other men poſſeſs; [eſpecially as thoſe Servants have been proved above * to be indiſpenſably neceſſary to aſcertain their Rights in a Court of Juſtice] or even to allow the Clergy the power of demiſing the tenth part of the produce, as the Landlord does the ſoil, to a Farmer; that is, (in other words,) that Eccleſiaſticks, ſuppoſed to be a claſs of men the leaſt proper to be immerſed in Secular affairs, and at the ſame time poſſeſſed of the moſt troubleſome ſpecies of property, ſhould have at leaſt the ſame allowance to employ Servants, as the Laity have: To what then will theſe Lectures of Mr. O'Leary tend? To tell the Inſurgents, whoſe preſent violence borders upon (if it be not actually) High-Treaſon, that tho' he *knows*, that they are *more oppreſſed, than any ſet of beings in the world*; tho' he is convinced they had a right to expect Redreſs from the *Humanity* of the Legiſlature (to whom, from a ſympathy with their ſufferings, he urged them to apply) *yet the Legiſlature ſhew no compaſſion for them: they muſt remain in their Miſery*:—" they have no " Remedy, but that Patience, which ſoftens the " Afflictions

* See Page 30.

"Afflictions of ſufferers."——Is this Doctrine calculated to ſecure the publick Peace? Does it not rather tend to *ſow Sedition?* or at leaſt to let looſe the Whiteboys on the Clergy, as their *ſole* oppreſſors; as if neither high Rents or low Wages contributed to their Poverty? Is this *fair* treatment of the Clergy? Can Mr. O'Leary *dare to avow*, that he thinks the Tithes of the Clergy the *ſole* cauſe of the Poverty of the Peaſantry? He *cannot:* and yet he points them out to the Inſurgents as *ſuch.* I am ſenſible, he utters Panegyricks on ſome Clergymen: So did Mark Antony on Brutus and his confederates. † Shakeſpeare knew all the avenues to the human heart: And Mr. O'Leary ſeems not to be ignorant of them. Though I would wiſh to hope the *intentions* are different, yet the *effects* are too likely to be the ſame. I will beg leave to aſk him a Queſtion. If there were an inſurrection of Proteſtants in Bohemia, for the purpoſe of robbing the Eſtabliſhed Roman Catholick Clergy, (and there might have been Proteſtants enough, if the perfidious cruelty of the late Empreſs Queen * had not nearly rooted them out!) and a Proteſtant Clergyman had written two publick Addreſſes to the Inſurgents, ſetting forth the oppreſſion they had ſuffered from the *dues* of the Clergy, and ſuggeſting to them, that they had a right to expect a Change in the arrangement of the Eccleſiaſtical Revenues, from the *Humanity* of the preſent Emperor; What does he imagine, that great and *tolerating* Prince would think of a Subject, who made *ſuch* a uſe of his toleration?

Mr.

† Shakeſpeare's Julius Cæſar.

* By tranſplanting them to Hungary, with a ſolemn promiſe of providing Settlements and Churches for them in that kingdom; which was not performed.

Mr. O'Leary's Invitation of the Whiteboys to hear him preach in a Proteſtant Church againſt their taking that Church by force, [and he might have added, burning a new one,] if carried into execution, (however good his intentions might be in the propoſal) would have afforded a Picture rather too humiliating of the ſtate of the Church and Government of Ireland. I have no doubt the Church may rely on the Wiſdom of that Government, and is not yet ſo far reduced, as to be ſupported

"*Tali auxilio, et defenſoribus iſtis.*"

☞ *The very great Haſte with which this Poſtſcript was drawn up, muſt account for my not taking notice of many other paſſages in Mr. O'Leary's letters, which I think liable to great exception; as well as for any inaccuracies of ſtile.*

APPENDIX

APPENDIX I.

A Learned friend has favoured me with the following obſervations on the Proceedings in eccleſiaſtical Courts.† The Author of a letter to *Theophilus* on the ſubject of Tithes, where he profeſſes to examine the *Equity and Moderation* of the Laws now in force, reſpecting Suits brought for the recovery of them, aſks, I. "Is it conſiſtent or equitable, that a Court ſhould exiſt, where a *ſingle* Judge, not poſſeſſing *perhaps* the Qualifications (there mentioned) ſhall decide in Tithe-Cauſes to any amount; and if the ſum does not exceed twenty pounds, the Decree of that Judge ſhall be concluſive Evidence of the ſum due, on bringing a Civil Bill to enforce the payment?" The Author here has *ſuppreſſed* a very important matter; he has not told his Readers, that the Party aggrieved by any Sentence of an Eccleſiaſtical Court may *appeal* from that ſentence, that ſuch appeal is ſpecially ſaved to the Party by the Tithe Laws, and that ſuch appeal will be *finally* heard and determined by Judges Delegates appointed by Commiſſion out of the Court of Chancery; and that ſome of the Judges of the Land are always appointed Judges Delegates.—And therefore it is a ſufficient Anſwer to the Queſtion of the Author of this pretended

† Page 89.

Diſcuſſion, that if the ſentence of this *ſingle Judge* is *not acquieſced in*, as a juſt and equitable ſentence, it never can be given in evidence, on bringing a Civil Bill to enforce the payment of the ſum decreed: and that if it be a juſt and equitable ſentence, it is Conſiſtent and Equitable, that it ſhould be Concluſive Evidence, on the bringing of ſuch Civil Bill; And that the party ought not to be permitted again to litigate, at the hearing of the, Civil Bill, a demand, againſt which he has been already admitted to make a full defence, and he has already admitted the Juſtice of the deciſion of the Judge, who has tried the Merits of the Cauſe on full Evidence; becauſe ſuch Proceedings would be contrary to all Law, and would encourage an infinity of Litigation.

II. The Author of the pretended *Diſcuſſion* then ſtates, or rather inſinuates, that "the Eccleſiaſtical Judges are often *intereſted* in the Cauſes they decide, and that ſuch conduct in Judges is attachable by the Court of King's Bench." The Anſwer to this Inſinuation, is an abſolute *Denial* to the Truth of it; for no Vicar General in this Kingdom ever did attempt to decide any Cauſe, in which he was intereſted.—The Author perhaps means to inſinuate, that as ſome Vicars General in this Kingdom are Clergymen, and hold Benefices in the Dioceſſes of which they are Vicars General, they are therefore intereſted in *all* Tithe-Cauſes, which are inſtituted in their reſpective Courts by any Incumbents within their reſpective Dioceſſes; becauſe the ſupport of the Right and Title of the Clergy to Tithes, is the Common Cauſe of all Beneficed Clergymen.—The Anſwer to this is, that ſuch Objection is too extenſive, and will equally lie againſt all the Judges of the Land, in *all* Cauſes

Cauſes which come before them between Land lords and Tenants: becauſe every one of theſe Judges are themſelves Landlords, and have Tenants; and it may with equal Juſtice be alledged, that the ſupport of the Right and Title of Landlords to their Rents, is the Common Cauſe of all Landlords.

III. The Author then goes on, and ſtates that "it is vexatious, oppreſſive, and expenſive, for a poor *Cottager* (omitting wealthy Farmers, and Gentlemen of Landed Property) to be obliged to go from one Extremity of a County to another, to an Eccleſiaſtical Court, for not ſubmitting to every demand of a Proctor." See now how *fairly* the Author ſtates this Caſe; he takes care to mention none but *poor Cottagers*, who will be ſubject to his ſuppoſed Inconvenience; thereby endeavouring to perſuade his Reader, that as the going from one Extremity of a County to another, muſt be a great and a manifeſt Inconvenience to a *poor Cottager*, that therefore it is a great and manifeſt Inconvenience to *all* Perſons. This is the old Sophiſtical method of argument, from Particulars to Generals.—But however it is eaſy to ſhew, that neither *poor Cottager*, nor rich Farmer, nor Gentleman, can be made ſubject to ſuch Inconvenience, but from their own Default or Injuſtice: And next, that ſuch Inconvenience is as great, (and much more grievous, becauſe unmerited) on the Proctor and Incumbent.—For as well the poor Cottager, as rich Farmer, and Gentleman, may ſave themſelves the trouble and inconvenience of ſuch a journey, by making Compoſitions for their reſpective Tithes with the Incumbent or Proctor; and if either the Incumbent or Proctor ſhould demand an unreaſonable ſum by way of Compoſition, the Cottagers, Farmers, and Gentlemen, have it in their option, to give the

Incumbent or Proctor the tenth part of the crop in Kind, and thus ſave themſelves the trouble of a Journey; which they cannot be obliged to perform, except through their own fraud and injuſtice, in *ſubſtracting* the Tithe from the Incumbent or his Proctor.—And the conſequence of ſuch their fraud and injuſtice falls as heavy at leaſt on the Incumbent or his Proctor, as on themſelves; becauſe on ſuch occaſions the Incumbent or his Proctor, and his Witneſſes, are obliged to perform as long a journey, as the Cottager, Farmer, or Gentleman; And that too, not in conſequence of any default in themſelves, but merely on account of the fraud and injuſtice of the Cottager, Farmer, or Gentleman.

This complaint of the *length* of the journey, which the Cottager, Farmer, or Gentleman, is obliged to take on account of *his own* fraud or injuſtice, is the *more* abſurd; when it is conſidered, that they are obliged to take as long journies at leaſt, on all occaſions when they are obliged to apply to the Laws for Relief, or when they are called upon to attend a Court of Juſtice, in order to defend themſelves from claims made on them by others; becauſe the Town in each County, where the Aſſizes and Quarter Seſſions are held, is at leaſt as far diſtant from the reſpective habitations of the inhabitants of a County, as the Town in which the Biſhop's Court is held.—And neither Cottager, Farmer, or Gentleman, can be obliged to attend a Biſhop's Court, more than *once* in a year, on the ſcore of Tithes, as the Law now ſtands: whereas they may be obliged, many times in a year, in proportion to their own litigiouſneſs, fraud and injuſtice, to attend the Aſſizes or Seſſions.

The

IV. The Author of the pretended Diſcuſſion, by Hints and Innuendos in direct contradiction to Fact, endeavours to perſuade his Readers, that the method of ſuing for Tithes in Eccleſiaſtical Courts, is very *expenſive* to the parties ſued.

" *He hints a fault, and heſitates diſlike*,"—but he dares not to aſſert openly, that ſuch proceedings in Eccleſiaſtical Courts are expenſive to the parties ſued, becauſe he would then, by the bare recital of the Tithe-Laws, be convicted of direct Falſhood. Let us compare the practice of the Temporal and Eccleſiaſtical Laws together, on the head of Expenſe.

By the Tithe-Act of the 7th of his preſent Majeſty, no Coſts can be given againſt a party in a Tithe Cauſe, greater than one Pound ſix Shillings and eight Pence; And the Extra-Coſts to the perſons employed by a party ſued in the Eccleſiaſtical Court, on the ſcore of Tithes, do not uſually amount to a Guinea, and may perhaps not amount to a Shilling.

The Coſts in any Action at Law, tried in any of his Majeſty's Courts in Dublin, for the recovery of any ſum *whatſoever*, amount to twenty Guineas at leaſt, to each party, the Plaintiff as well as Defendant: and if tried at an Aſſizes Town, to thirty Guineas each at leaſt.

If a man be ſued for Subſtraction of *Tithes* by Bill in the Court of Exchequer, and a Decree obtained againſt him, the Coſts alone, which he incurs, will amount to two or three hundred Pounds.—For the truth of the above Poſitions, let

let the Author of the pretended *Diſcuſſion* apply to any practiſing Attorney in the Four-Courts.

Let the Reader now judge, with what juſtice the profeſſed Friend to Equity and Moderation, this *accurate and rapid Diſcuſſor* of the Propoſitions and Plan of *Theophilus* exclaims at the End of his Pamphlet,

" From ſuch Equity and Moderation, free from
" Vexation, Oppreſſion and Expenſe,
" Good Lord, deliver me!"

APPEN-

APPENDIX II.

APPENDIX II.*

Vide, Supplementum Hiberniæ Dominicanæ P. 925.

EXCELLENTISSIMUS et Reverendiſſimus Dominus, *Nuntius Apoſtolicus Bruxellenſis, Thomas-Maria Ghilini, Archiepiſcopus Rhodienſis*, Nobilitate Doctrinâ et Pietate conſpicuus, *Literas* dedit *verè aureas, Cedroque dignas, ad Quatuor Hiberniæ Metropolitanos.* Earum porro Tenor ad Archipræſulem *Dublinienſem* eſt hujuſmodi.

" Illuſtriſſime et Reverendiſſime Domine,

" Officii mei Debitum erga bonos Catholicos " iſtius Regni Me cogit, urgetque, ut excitem " Illuſtriſſimæ Dominationis veſtræ Zelum, quo " inſimul obviam ire ſtudeamus graviſſimo incom- " modo, quod parari ſignificatum Mihi fuit, atque " in parte etiam Executioni mandari, in ſpirituale " Damnum iſtius miſeræ copioſiſſimæ Chriſtianæ " Gentis. Teſtes omni Fide digniſſimi retulêrunt " Mihi, ab homine Hæretico conceptam, & " ejuſdem Hæretici manu conſcriptam quandam " Formulam Juramenti fuiſſe, (cujus exemplar " hiſce † accludo,) atque Catholicis ſub eo blando " prætextu oblatam, ut ſi tale Juramentum Guber- " nio præſtare non abnuant, rationabiliter ſperare " poſſint, fore ut ab eodem Gubernio revocentur " aboleanturque Leges illæ Pœnales, ſub quibus â " tam longo tempore ingemiſcunt. Additum de- " inde

* See Page 21, and Note P. 114.

APPENDIX II.

THE Moſt Excellent and Moſt Reverend Lord, *Apoſtolical Nuntio at Bruſſels, Thomas-Maria Ghilini, Archbiſhop of Rhodes*, of diſtinguiſhed nobility, learning and piety, ſent *truly precious Letters, worthy to be preſerved with Cedar juice, to the four Metropolitan Prelates of Ireland.* The purport of that addreſſed to the Archbiſhop of *Dublin* is as follows.

" Moſt Illuſtrious and Moſt Reverend Lord,

" My official Duty towards the good Catholicks of the Kingdom of Ireland compels, and urges me to excite your Moſt Illuſtrious Lordſhip's zeal, in order that we may conjointly ſtudy to counteract a moſt grievous miſchief, which, as I have been informed, is prepared, and even partly carried into execution, to the ſpiritual detriment of that wretched, though very numerous, Chriſtian nation. I have been aſſured by Witneſſes of the higheſt credit, that a certain form of Oath has been conceived by a Heretick, and drawn up by that ſame Heretick's hand, (a Copy of which I incloſe §) and that it is held out for the acceptance of Catholicks, under this inſinuating pretext, that if they refuſe not to take ſuch an Oath to Government, they may reaſonably expect, that Government will repeal and abrogate thoſe penal Laws, under which they ſo long groan. And I have been

" inde Mihi fuit, nonnullos cùm Laicos, tum " Eccleſiaſticos, Epiſcopos etiam jam illud præſ- " tare tam imprudenter non erubuiſſe, alioſque " præterea paratos fore ad illud præſtandum; ut ve- " rendum Mihi ſit, ne talis ac tanta Inordinatio " brevi ita dilatetur, ut ferè Communis ſit evaſura.

" Si Regimen hanc perniciosiſimam invexiſſet " Novitatem, exigeretque hujus novi juramenti " præſtationem, comminando Catholiciſmi Exter- " minium, quatenus ipſi non præſtarent; quanquam " nullus foret Catholicus Excuſatione dignus, qui " tam irrationabili cederet Violentiæ, ſaltem tamen " minùs indigni Commiſeratione ii forent, qui ad " avertendum Periculum ſe flecti paterentur. Ve- " rùm quòd Catholici, qui longo jam tempore pati " conſuevêrunt, ſummâ cum Edificatione eximi- " -âque Conſtantiâ, Leges Pœnales vigentes, utique " ſeveras, ſed non contrarias profeſſioni et Exer- " citio Catholicæ Religionis, et toleratas ab ipſis " uſque huc cum incredibili Animi Submiſſione, " nunc ſponte ſeſe offerant, id ſuadente ac ſugge- " rente homine è Pſeudo-reformatorum grege, " conficere Actum publicum, qualis iſte eſt, multis " capitibus ſummè reprehenſibilem; is foret Ex- " ceſſus omnium maximus, et adeo intolerabilis " et ſcandaloſus, ut Sancta Sedes, Cuſtos inte- " gritatis noſtræ Religionis, nullatenùs eum poſſet " diſſimulare, quin potius gravi ac publicâ Cenſurâ " conſtringere cogeretur.

" Pluribus rationibus vituperabile eſt, et in- " dignum Præſulibus Catholicis, novum *juramen- " tum*; ſed et prorſus *intolerabile*, ſi ſpectetur illa " *Proteſtatio*, quam habet adnexam, videlicet—*Abo-* " *minationis*,

been further informed, that already ſome of the Laity, and Eccleſiaſticks, and even of the Biſhops have not been aſhamed ſo imprudently to take it, and alſo, that others are preparing to take it; inſomuch that I am apprehenſive, a Miſregulation of ſuch a critical and important nature, may in a ſhort time ſpread ſo widely, as almoſt to become General.

" If Adminiſtration indeed had introduced this moſt pernicious novelty, and required the taking of this new Oath under a Threat of exterminating Catholiciſm, provided it were not taken; although no Catholick would be excuſable, who ſhould give way to ſuch unreaſonable Violence, yet ſuch perſons would be leſs unworthy of compaſſion, as yielded in order to avoid the Danger. But that Catholicks who, during ſuch a length of time, have been accuſtomed, with the higheſt edification and exemplary conſtancy, to ſubmit to the Penal Laws in force, ſevere indeed, but not contrary to the profeſſion and exerciſe of the Catholick Religion, and hitherto borne by them with incredible ſubmiſſion, ſhould now voluntarily offer themſelves, by the perſuaſion and inſtigation of one of the herd of Falſe-Reformiſts, and execute a public act of this nature, which is moſt highly reprehenſible upon many accounts; would ſurely of all enormities be the greateſt, and ſo intolerable and ſcandalous, that the Holy See, the guardian of the purity of our religion, could in no wiſe overlook it, but would rather be compelled to correct it by a ſevere and public cenſure.

" This new *Oath* is reprehenſible upon many accounts, and unworthy of Catholick Prelates; but it is abſolutely *intolerable*, if we conſider the *Declaration* thereunto annexed, namely,—that of

abomi-

" *minationis, ac Deteſtationis ex corde* ejus *Doctrinæ,*
" quæ veluti *abominanda, ac pernicioſa* declaratur.—

" Notum eſſe debet Eruditioni ſuæ, *Doctrinam*
" hanc, quæ *deteſtabilis* aſſeritur in hoc *juramento,*
" eam *defendi et propugnari* à *pleriſque Nationibus*
" *Catholicis, eandemque in Praxi pluries ſecutam fuiſſe*
" *Apoſtolicam Sedem.* Quapropter nequaquam ea
" poteſt, uti deteſtabilis ac abominanda à viro
" Catholico declarari, quin talis Aſſertio notam in-
" currat propoſitionis temerariæ, falſæ, ſcanda-
" loſæ, et Sanctæ Sedi injurioſæ. Præterea ſe *Sa-*
" *cramentó* adſtringi, prout nova præſcribit Formu-
" la, ſemper futurum fidum, ac *fidelem ſuæ Majeſta-*
" *ti*, idque poſtea explicatur, juramentô affirmare
" *juxta* Senſum—per *leges Hibernicas* intentum,
" valde eſt Mihi dubitandum; quod quemadmodum
" *Leges* Angliæ et *Hiberniæ* recognoſcunt *Regem,*
" *uti Caput Eccleſiæ, et Fontem ejus ſpiritualis Auc-*
" *toritatis*; ita qui præſtat tale juramentum, pro-
" mittitque ſuæ Majeſtati fidelitatem juxta præ-
" ſcriptum Hiberniæ legum, poſſit et *ipſe* recog-
" noſcere Regem, uti caput Eccleſiæ, et fontem
" ejus ſpiritualis auctoritatis. Si forte hæc eſſet, aut
" eſſe poſſet talium verborum intelligentia, Do-
" minatio veſtra Illuſtriſſima, et quilibet alius ex
" ipſis Catholicis animadvertere debet, hunc eſſe
" Errorem manifeſtum; ac directè contrarium prin-
" cipiis Religionis Catholicæ, quæ unicum agnoſ-
" cit *caput, et Fontem totius Spiritualis Auctoritа-*
" *tis, Romanum* nempe *Pontificem.* Atque hinc ap-
" paret, quantum etiam ex hoc capite culpabile foret
" atque deteſtandum tale juramentum, quoniam
" DEUS, in Teſtem et vindicem Erroris, per illud
" aſſumeretur.

" Cùm

abominating, and *deteſting from the heart the doctrine* which is there declared *abominable* and *pernicious*. —

"To your Erudition it muſt be known, that *this doctrine*, which is aſſerted to be *deteſtable* in the *Oath*, *is defended and maintained by moſt Catholic Nations*, *and has been often followed in practice by the Apoſtolical See*. It cannot therefore upon any account be declared deteſtable and abominable by a Catholic, without incurring by ſuch declaration the imputation of a propoſition raſh, falſe, ſcandalous, and injurious to the Holy See. Beſides, whether he be *inviolably* bound, as the new form preſcribes, to be always true and *faithful to his Majeſty*, which is afterwards explained, to affirm upon Oath — *according to* the ſenſe intended by *the Laws of Ireland*, is to me a very dubious point. For ſince the *Laws* of England and *Ireland* recognize the *King as Head of the Church, and the Fountain of its ſpiritual Authority*; *He* who takes ſuch an Oath, and promiſes to be faithful to his Majeſty according to the preſcription of the Laws of Ireland, might alſo recognize the King as Head of the Church, and the fountain of its ſpiritual Authority. Should it happen, that ſuch expreſſions either were, or could be ſo underſtood, your Moſt Illuſtrious Lordſhip, and each of the Catholicks themſelves ought to take notice, that this is a manifeſt Error, and directly contrary to the principles of the Catholick Religion, which acknowledges only one *Head and Fountain of all ſpiritual Authority*, namely the *Roman Pontiff*. And hence appears from this further conſideration, how culpable and deteſtable ſuch an Oath would be, ſince by it GOD would be introduced as a Witneſs and Avenger of Error.

Since

" Cùm itaque adeo irregulare & reprehenſibile ſit " hujusmodi juramentum, Quis, quæſo, animo " revolvere poterit, quo acerbiſſimo dolore per- " cellendus ſit pientiſſimus animus Sanctiſſimi " Patris, cùm primùm ad aures ejus pervenerit, " Catholicos Laicos, Eccleſiaſticos, & etiam Epiſ- " copos ſeſe obtuliſſe, aut minimè repugnantes " ſeſe oſtendere, in præſtando Regimini, à quo " non poſtulatur, tale juramentum; quin priùs " Sanctam Sedem interpellaverint, ejuſdemque " Oraculum audierint, juxta laudabiliſſimum " Spiritum filialis obſervantiæ, ac ſubordinationis " debitæ Vicario Jeſu Chriſti, eorum Paſtoris & " Capitis, & ejus Conformitatis, quam quilibet " Centro Unionis Catholicæ ſervare debet; quod " ſingulari eximiâque Veneratione profeſſa eſt " INCLYTA NATIO HIBERNICA, CUM " TANTA GLORIA SUI NOMINIS IM- " MORTALIS.

" Propter has rationes mihi facilè ſuadeo, quæ " ad nos delata ſunt, in omni ſuâ parte vera non " fuiſſe. Nihilominus ne in re tam gravi officio " meo deeſſe videar, muneris mei indiſpenſabilis eſſe " duxi, hæc ad Illuſtriſſimam Dominationem Veſ- " tram ſcribere, ut ſuum paſtoralem Zelum exci- " tem; quatenus ſi ſupra-memorata vera exiſtant, " ratione ſui ſpectabilis miniſterii, omni cum efficа- " ciâ ac prudentiâ, promptiora ac magis apta incunc- " tanter afferat Remedia, queis ulterior progreſſus " tam pernicioſæ & ſcandaloſæ Inordinationis im- " pediatur; *revocetque ad propria officia, ut interim* " *datum ſcandalum reparent*, eos qui jam tale " præſtitiſſent *juramentum;* quòd cæteroquin, *quem-* " *admodum in totâ ſuâ extenſione eſt illicitum, ita naturâ* " *ſuâ eſt irritum, ac nullum, nulliuſque valoris, ut*

" *minime*

"Since then an Oath of this nature is ſo irregular and reprehenſible, Let me aſk you, who can conceive, with what extreme bitterneſs of grief the moſt pious mind of the moſt Holy Father muſt be affected, ſo ſoon as the account ſhall reach his ears, That the Catholick Laity, Eccleſiaſticks, and even Biſhops, have either voluntarily offered themſelves, or ſhewed not the ſmalleſt repugnance to take ſuch Oath to Government, by whom it is not required; without previouſly recurring to the Holy See, and liſtening to its oracular deciſion; according to the moſt laudable ſpirit of filial obedience and ſubordination due to the Vicar of Jeſus Chriſt, their Paſtor and Head, and of that conformity to the Center of Catholic Union, which every perſon ought to obſerve, and which THE RENOWNED IRISH NATION, has with ſingular and diſtinguiſhed veneration profeſſed, SO MUCH TO THE GLORY OF ITS IMMORTAL NAME.

"For theſe reaſons I readily perſuade myſelf, that the information communicated to us, was not true in every particular. Nevertheleſs, in order that in a matter of ſuch moment, I may not appear deficient in my official capacity, I thought it my indiſpenſable duty, to write thus to your Moſt Illuſtrious Lordſhip, in order to excite your Paſtoral zeal; ſince if the abovementioned Facts be true, you ſhould, from regard to your reſpectable miniſtry, forthwith apply with all poſſible efficacy and prudence, the ſpeedieſt and fitteſt remedies for ſtopping the further progreſs of ſo pernicious and ſcandalous a Miſregulation; and for *recalling thoſe*, who have already taken ſuch Oath, *to their proper duty, that they may in the mean time repair the ſcandal they have given;* becauſe that, as in other reſpects *the Oath is in its whole extent unlawful, ſo is it in it's nature, invalid, null and*

" *minimè conſcientias adſtringere & obligare poſſit.*
" Ipſa, deinde, curet oportet modis omnibus, qui ſibi
" opportuniores ac efficaciores videbuntur, & ſuæ
" prudentiæ magis conformes, ut Epiſcopis ſuis
" Suffraganeis oſtendat, & eorum organo omnibus
" Fidelibus, qualem Reatum nova hæc Juramenti
" formula adnexum habeat; & quam grave Pecca-
" tum perpetrarent ii, qui illud vel præſtare paratos
" ſe præbeant, vel malo etiam infortunio jam
" præſtitiſſent."

" Hinc omnes incitare debebit, ut vigentes Pœna-
" les Leges, quas huc uſque tam laudabili Conſtantiâ
" pertulêrunt, & perferre pergant; potius quam, ut
" ab iiſdem ſeſe eximant, confugiant ad Medium
" adeo illicitum & peccaminoſum, cum tanto damno
" propriarum Animarum, ac ipſius Religionis, quæ
" ſenſim ſine ſenſu ita minorabitur, ut peritura ſit
" in corde iſtorum Catholicorum, ſi, ſecuti exem-
" plum propriorum Paſtorum, adeo benignas aures
" præbebunt carni & ſanguini, ac magis audient
" fallaces ſuggeſtiones inimicorum noſtræ ſanctæ
" Catholicæ Religionis, quám veram & ſalutarem
" doctrinam veri eorum Patris, & Supremi Paſtoris;
" Quod abſit! Et dum, pro noſtri animi conſolatione,
" quam citiſſima & pleniſſima expectamus reſponſa,
" quemadmodum ſuus zelus in re tam gravi ſeſe
" prodiderit, ſingulari dicimur Eſtimatione

" Illuſtriſſimæ & Reverendiſſimæ Dominationis Veſtræ

" Obſervantiſſimus Famulus,

" THO. MARIA, Archiepiſcopus Rhodienſis,

Bruxellis, 14 Octobris 1768. " Nuntius Apoſtolicus.

" Archiepiſcopo Dublinienſi."

and of no effect, inſomuch that it can by no means bind and oblige Conſciences. Your Lordſhip ſhould, in the next place, take care, by all ſuch methods as ſhall to you appear moſt expedient and effectual, and moſt agreeable to your diſcretion, to ſignify to your Suffragan Biſhops, and by their inſtrumentality, to all the Faithful, what Criminality this new form of Oath has annexed to it; and how heinous a Sin they commit, who either hold themſelves in readineſs to take it, or unfortunately have already incurred the guilt of taking it.

In conſequence of this, your Lordſhip ſhould encourage all perſons to continue their ſubmiſſion to the Penal Laws in Force, which with ſuch laudable Conſtancy they have hitherto borne; rather than, from the motive of emancipating themſelves from theſe Laws, to have recourſe to Means ſo unlawful and ſinful, attended with ſuch loſs to their own Souls, and to Religion itſelf, which will by imperceptible degrees be ſo weakened, that it will at length periſh in the heart of thoſe Catholicks, if, following the example of their own Paſtors, they ſhall lend ſo indulgent an ear to Fleſh and Blood, and hearken rather to the fallacious ſuggeſtions of enemies to our Holy Catholick Religion, than to the genuine and ſalutary doctrine of their true Father, and ſupreme Paſtor. Which Heaven avert! and, whilſt for our Soul's conſolation we expect your Anſwer as ſpeedy and full as poſſible, according as your Zeal ſhall manifeſt itſelf in ſo weighty a matter, we ſubſcribe ourſelves, with ſingular Reſpect,

Your Moſt Illuſtrious and Moſt Reverend Lordſhip's
Moſt obedient Servant,
THO.-MARIA, Archbiſhop of Rhodes,
Bruſſels, 14th Oct. 1768. and Apoſtolical Nuntio."

To the Archbiſhop of Dublin.

§ Formula novi Juramenti, quod gubernio *Hiberniæ* præſtandum proponitur tum Eccleſiaſticis tum Laicis dicti regni, ſub ſpe quòd poſt tale juramentum revocandæ ſint leges pœnales, ibi vigentes contra ipſos et Catholicos.

" Ego N. N. Promitto ac juro ſuper ſacroſanctis Evangeliis, ſinceriſſime, coram DEO & Hominibus, me ſemper futurum fidum ac fidelem ſuæ majeſtati Regi Georgio III. meque eundem ſemper defenſurum, omnibus meis viribus, adverſus omnes conjurationes & molimina, quæ attentarentur in ſuam perſonam, coronam, aut ejus dignitatem; illudque omne me effecturum, quantum in me erit, ut detegam, & revelem Majeſtati ſuæ ejuſque ſucceſſoribus omnes proditiones & conjurationes, quas aliquis aut moliretur, aut meditaretur in ipſum, aut in ejus ſucceſſores. Et Juro, ac promitto fideliter, me propugnaturum, omnibus meis viribus, ſucceſſionem coronæ in familia Suæ Majeſtatis, adverſus quamcunque perſonam. Juro etiam, me abhorrere, deteſtari, & abjurare, ex intimo cordis mei, pernicioſam & abominabilem doctrinam, quod non ſit ſervanda fides, aut promiſſio Hæreticis facta, aut Principibus excommunicatis, aut quod illi, qui fuerunt a Papa privati, poſſint deponi, aut occidi ab eorum Subditis, aut a quacunque alia perſonâ. Juro & declaro ſolemniter coram DEO, mehanc facere declarationem & hoc juramentum, juxta ſenſum communem & ordinarium, & prout a Legis latoribus Hiberniæ intenditur, ſine equivocatione aut interna reſervatione, et quin aliquam anteriorem a Papa obtinuerim diſpenſationem, aut a quacunque alia authoritate; & tandem, quin ego credam, me unquam abſolvi poſſe, aut diſpenſari ab onere hujus juramenti a Papa, aut a quocunque alio, qui declaraſſet hujusmodi juramentum tanquam nullum ab initio naturæ ſuæ eſſe habendum."

* Form of the new Oath propoſed to be taken to Government by the Catholicks of ſaid Kingdom, as well Eccleſiaſtics as Laymen, in hopes, after taking ſuch Oath, of a repeal of the penal laws there in force againſt them.

"I *N. N.* Do moſt ſincerely, in the preſence of GOD and Men, promiſe and ſwear upon the Holy Goſpels, that I will be always true and faithful to his Majeſty George III. and him will always defend, to the utmoſt of my power, againſt all conſpiracies and attempts that ſhall be made againſt his Perſon, Crown or dignity; and that I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty and his Succeſſors, all Treaſons and traiterous Conſpiracies which ſhall be formed or meditated againſt him or them. And I do faithfully promiſe and ſwear to ſupport to the utmoſt of my power, the ſucceſſion of the Crown in his Majeſty's family, againſt any perſon whatſoever. I do alſo ſwear, that I do abhor, deteſt and abjure, from the bottom of my heart, that pernicious and abominable doctrine, that no faith or promiſe is to be kept with Heretics, or Princes excommunicated; or that Princes deprived by the Pope, may be depoſed or murdered by their Subjects, or by any other perſon whatſoever. I do ſolemnly, in the preſence of GOD, ſwear and declare, that I do make this declaration and this oath, in the plain and ordinary ſenſe, and *as it is intended by the Legiſlature of Ireland*, without equivocation or mental reſervation, and without any diſpenſation already granted to me by the Pope, or any other authority whatſoever, and without thinking that I ever can be abſolved or diſpenſed from the burden of this oath, by the Pope, or any other perſon whatſoever, although he ſhould declare that ſuch oath ought to be held, in it's nature, as null from the beginning."

N. B. The Oath of Allegiance at preſent in uſe, by virtue of the Act of the 13th and 14th of his preſent Majeſty's Reign contains the clauſes referred to in p. 22, and declared *intolerable* by the Legate.

APPENDIX III.

TAMETSI porro Jusjurandum hoc minus atrox quam præcedens videatur, hoc vel ſolo nomine, quòd expreſsè non *abjuret*, ut vulgo loquimur, Regem *Jacobum*; crudelitate nihilominùs adhuc non vacat, ut plures Proceres Acatholici, tam Spirituales quam Temporales, animadvertebant, in Domo Dominorum contra illud diſceptantes, me etiam audiente, qui ſingulis illis diebus occultus adfui. Enimvero, ut nihil dicam de Limitatione Coronæ ad Hæredes Duciſſæ Sophiæ, quà, (& quamdiu) Proteſtantes, cum Excluſione nedum Regiæ Familiæ *Stuartorum*, ſed & Principum omnium Catholicorum, hos proximitate Sanguinis ſequentium, putà *Caroli-Emanuelis*, Regis *Sardiniæ;* nihilque dicam de aliis ſævis ſæviſſimi Libelli Articulis jam recenſitis, quos retuliſſe, ipſos refutaſſe eſt; Nonne pluſquam Abſurdum foret, quòd *Sacerdos Catholicus*, Catholico Populo Verbum DEI Scriptum & Traditum Sermone & Opere prædicans, eundemque Sacramentis Eccleſiæ paſcens, *juret Fidelitatem Regi Georgio, quamdiu Cultor eſt Religionis Heterodoxæ, quamdiuque Uxorem non habet Orthodoxam; ſi vero Fidem amplectatur Orthodoxam* (ut anno ſuperiori ipſius fecit Gener, *Fredericus* nempè Princeps *Haſſiæ*, vulgo *Heſſe-Caſſel*) *autve Uxorem ducat Orthodoxam*, (prout Reges *Carolus* Primus & Secundus fecere,) *eo ipſo Sacerdos iſte Catholicus abjurare debet Regem, cui Fidelitatem ante juravit!* O Facinus pluſquam indignum!

APPENDIX III.*

Animadverſions on the Heads of Bills for Regiſtring *Popiſh* Prieſts, 1756 and 1757. See *Hibernia Dominicana*, by Father *Burke*, (Titular) Biſhop of *Oſſory*.

ALTHOUGH this Oath may ſeem leſs atrocious than the former, on this account at leaſt, that it doth not require us expreſsly to *abjure* King *James;* yet ſtill it is not free from Cruelty, even in the opinion of ſeveral *Uncatholick* Lords Spiritual and Temporal, who ſpoke againſt it in the Houſe of Lords, in my hearing; for I was every day preſent at the debates *incognito*. For, not to mention the Limitation of the Crown to the Heirs of the Ducheſs *Sophia*, being (and ſo long as they ſhall continue) Proteſtants with Excluſion, not only to the Royal Family of *Stuart*, but of all Catholick Princes next in Blood, for inſtance *Charles-Emanuel* King of *Sardinia;* not to ſay any thing of the other cruel Articles aforeſaid of that very cruel Bill, of which the bare Repetition is a ſufficient Refutation: Would it not exceed the greateſt imaginable Abſurdity, that a *Catholick Prieſt*, who inſtructs his Catholick People in the Will of GOD from Scripture and Tradition, by his Diſcourſe and Actions, and nouriſheth them with the Sacraments of the Church, *ſhould ſwear Fidelity to King* George, *as long as he profeſſeth a Heterodox Religion, or has a Wife of that Religion; but if he ſhould embrace the Orthodox Faith* (as his Son-in-law *Frederick* Prince of *Heſſe-Caſſel* did laſt Year) *or ſhould marry an Orthodox Wife* (as King *Charles* the firſt and ſecond did) *that then and in that caſe the ſame Catholick Prieſt ought inſtantly to abjure the very King, to whom he had before ſworn Allegiance!* Impiety moſt horrible!

* Page 23.

APPENDIX IV*.

The OATH *taken by a Popiſh Biſhop before Conſecration.*

EGO *N.* Electus Eccleſiæ *N.* ab hâc horâ in antea fidelis & obediens ero beato *Petro* Apoſtolo, ſanctæque *Romanæ* Eccleſiæ, & Domino noſtro, Domino Papæ *N.* ſuiſque ſucceſſoribus canonicè intrantibus.

Non ero in conſilio, aut conſenſu, vel facto, ut vitam perdant, aut membrum; ſeu capiantur malâ captione; aut in eos violenter manus quomodolibet ingerantur; vel injuriæ aliquæ inferantur, quovis quæſito colore.

Conſilium vero, quod mihi crediturí ſunt per ſe, aut nuntios ſuos, ſeu literas, ad eorum damnum, me ſciente, nemini pandam.

" Papatum *Romanum*, & Regalia ſancti *Petri*,
" adjutor eis ero ad retinendum, & defendendum,
" ſalvo meo ordine, contra omnem hominem."

Legatum Apoſtolicæ Sedis in eundo, & redeundo honorificè tractabo, & in ſuis neceſſitatibus adjuvabo.

" Jura, honores, Privilegia & auctoritatem
" Sanctæ *Romanæ* Eccleſiæ, Domini noſtri Papæ &
" ſucceſſorum prædictorum, conſervare, defendere,
" augere & promovere curabo."

Neque

* See Page 22.

APPENDIX IV.

I *N.* Elect of the Church *N.* from this Hour forward will be faithful and obedient to St. *Peter* the Apoſtle, and the holy *Roman* Church, and to our Lord, the Lord Pope *N.* and his Succeſſors canonically entering.

I will not counſel, or conſent, or be aſſiſting in or to any Act whereby they may loſe Life or Limb; or may be ſeized and ill treated; or that violent Hands be laid on them in any Manner whatſoever, or that any kind of Injury be done them on any Pretence or Colour.

But any Counſel with which they ſhall intruſt me, whether by themſelves, by their Nuncios or Letters, to their Hurt, I will not knowingly diſcover to any Perſon.

The *Roman* Papacy and the Royalties of St. *Peter* I will, ſaving mine own Order, aſſiſt them to retain and defend againſt every Man.

The Legate of the Apoſtolic See, going out, and returning back, I will honourably treat, and in his Neceſſities aſſiſt.

The Rights, Honours, Privileges and Authority of the holy *Roman* Church, and of our Lord the Pope and his Succeſſors aforeſaid, I will be careful to preſerve, defend, enlarge and promote.

And

Neque ero in conſilio, vel facto, ſeu tractatu, in quibus contra ipſum Dominum noſtrum, vel eandem *Romanam* Eccleſiam, aliqua ſiniſtra vel præjudicialia perſonarum, juris, honoris, ſtatûs & poteſtatis eorum machinentur. Et ſi talia à quibuſcumque tractari, vel procurari novero, impediam hoc pro poſſe; et quanto citiùs potero, ſignificabo eidem Domino noſtro, vel alteri, per quem poſſit ad ipſius notitiam pervenire.

Regulas ſanctorum Patrum, decreta, ordinationes, ſeu diſpoſitiones, reſervationes, proviſiones & mandata Apoſtolica totis viribus obſervabo, & faciam ab aliis obſervari.

" Hæreticos, Schiſmaticos & Rebelles eidem " Domino noſtro, vel ſucceſſoribus prædictis, pro " poſſe perſequar, & impugnabo."

Vocatus ad ſynodum veniam, niſi præpeditus fuero canonicâ præpeditione.

Apoſtolorum limina, ſingulis trienniis, perſonaliter per me ipſum viſitabo; & Domino noſtro, ac ſucceſſoribus præfatis rationem reddam de toto meo Paſtorali Officio, ac de rebus omnibus ad meæ Eccleſiæ ſtatum, ad cleri & populi diſciplinam, animarum denique, quæ meæ fidei traditæ ſunt, ſalutem, quovis modo pertinentibus; & viciſſim mandata Apoſtolica humiliter recipiam, & quam diligentiſſimè exequar.

Quòd ſi legitimo impedimento detentus fuero, præfata omnia adimplebo per certum Nuntium, ad hoc ſpeciale mandatum habentem, de gremio

mei

And I will not be concerned in Counſel, Act, or Treaty wherein any Thing diſadvantageous or prejudicial to our ſaid Lord, or the *Roman* Church, their Perſons, Right, Honour, State and Power, ſhall be deviſed. And if I know any ſuch Things to be treated of, or intended, by any Perſon whatſoever, as far as I am able, I will prevent the ſame; and as ſoon as poſſible will give Information to our ſaid Lord, or to ſome other Perſon, by whoſe means it may come to his Knowledge.

The Rules of the Holy Fathers, the Decrees, Orders or Appointments, Reſervations, Proviſions and Mandates Apoſtolical, with all my Might I will obſerve, and cauſe to be obſerved by others.

All Hereticks, Schiſmaticks and Rebels againſt our ſaid Lord and his Succeſſors aforeſaid, I will to the utmoſt of my Power proſecute and oppoſe.

When called to a Council I will come, if not prevented by ſome canonical Impediment.

The Threſholds of the Apoſtles, every *three Years* * I will perſonally viſit, and of my whole paſtoral Charge, and of all things belonging to the State of my Church, the Diſcipline of my Clergy and People, and in fine, of whatever in any manner concerns the Salvation of the Souls committed to my Truſt, to our Lord and his ſaid Succeſſors I will give Account; and on the other Hand, all Apoſtolical Commands I will humbly receive, and with my beſt Diligence execute.

But if I be detained by any lawful Impediment, all the aforeſaid Particulars I will perform by a truſty Meſſenger, by me ſpecially commiſſioned for

 that

See Note p. 123.

mei capituli; aut alium in dignitate Eccleſiaſticâ conſtitutum, ſeu aliàs perſonatum habentem; aut, his mihi deficientibus, per diæceſanum Sacerdotem; & clero deficiente omninò, per aliquem alium Preſbyterum, ſæcularem vel regularem, ſpectatæ probitatis & religionis, de ſupradictis omnibus plenè inſtructum. De hujuſmodi autem impedimento docebo per legitimas probationes, ad Sanctæ *Romanæ* Eccleſiæ Cardinalem proponentem, in Congregatione ſacri concilii, per ſupradictum Nuntium tranſmittendas.

Poſſeſſiones verò ad menſam meam pertinentes non vendam, nec donabo, neque impignorabo; nec de novo infeudabo, vel aliquo modo alienabo, etiam cum conſenſu Capituli Eccleſiæ meæ, inconſulto *Romano* Pontifice. Et ſi ad aliquam alienationem devenero, pænas, in quâdam ſuper hoc editâ conſtitutione contentas, eo ipſo incurrere volo.

that purpoſe, from among my Chapter, or poſſeſſed of ſome eccleſiaſtical Dignity, or at leaſt of ſome Parſonage; or failing theſe, by ſome Prieſt of my Dioceſs, or in caſe none ſuch can be found in the number of my Clergy, then by ſome other Prieſt, Secular or Regular, of ſignal probity and religion, who ſhall be fully intruſted in all Things before mentioned. But of ſuch Impediment I will give due information, by legal proofs to be tranſmitted by my aforeſaid Meſſenger to the propounding Cardinal of the Holy *Roman* Church in the Congregation of the Sacred Council.

The Poſſeſſions belonging to my Table I will neither ſell, give away, mortgage; nor inveſt anew, nor in any manner alienate, even with the Conſent of my Chapter, without conſulting the *Roman* Pontiff. And if I make any ſuch Alienation, I am willing directly to incur the Penalties contained in a certain Conſtitution ſet forth thereupon.

* *N. B.* Four Years are allowed to Biſhops in *Ireland*. See Rubrick in *Pont. Rom.* and the Caſe of *Stephen M'Egan*, Biſhop of *Clonmacnoiſe* 1726. *Burke's Hibernia Dominicana*, P. 503.

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